

## Cross Reporting Report Form

### REPORTERS DETAILS

<b>Name of person reporting:</b>	Jimi Conroy
<b>Name of organisation:</b>	NPWS
<b>Address of organisation:</b>	Govt. Buildings,
	Hebron Road
	Kilkenny
<b>Contact details:</b>	
<i>Phone:</i>	
<i>Mobile:</i>	
<i>Fax:</i>	
<i>Email:</i>	jimi.conroy@chg.gov.ie

### CASE DETAILS

<b>Name of applicant:</b>	[REDACTED]
<b>Date of inspection:</b>	29 <sup>th</sup> May, 2020
<b>Herd no. if available:</b>	
<b>Address of applicant:</b>	[REDACTED]
	[REDACTED]
	Kilkenny

### LEGISLATION

*Notifiable Activity 6.1 under the Habitats Regulations*

### ATTACHMENTS

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**NATURE OF AND BACKGROUND TO THE CASE**

*This is a case of abstraction of water from the River Nore SAC for the purposes of irrigating a crop of potatoes at ██████████ Kilkenny.*

*Abstraction from a river SAC is a Notifiable Activity and is an Activity Requiring Consent (ARC). ██████████ did not apply for an ARC before commencing operations and therefore the operation is being carried out without the permission of the Minister for Culture, Heritage and the Gaeltacht.*

*The initial abstraction was undertaken through negligence. ██████████ was informed by NPWS to stop irrigation until the ARC could be dealt with but he continued to abstract water from the river without permission. This was undertaken intentionally.*

**Note:**

*Article 38 of Commission Regulation 640/2014 defines severity, extent and permanence as follows:*

- *The ‘**extent**’ of a non-compliance shall be determined taking account, in particular, of whether the non-compliance has a far-reaching impact or whether it is limited to the farm itself.*
- *The ‘**severity**’ of a non-compliance shall depend, in particular, on the importance of the consequences of the non-compliance taking account of the aims of the requirement or standard concerned.*
- *Whether a non-compliance is of ‘**permanence**’ shall depend, in particular, on the length of time for which the effect lasts or the potential for terminating those effects by reasonable means.*

Signature of reporting officer: \_\_\_\_\_

Date signed: \_\_\_\_\_

**RETURN DETAILS**

*Please return completed form and copies of all relevant documentation to:*

**Suzanne Kiuchi  
Higher Executive Officer  
Cross-Compliance Section  
Department of Agriculture, Food and the Marine  
Old Abbeyleix Road  
Portlaoise  
Co. Laois.**

Phone: 057 8678760

Email: [suzanne.kiuchi@agriculture.gov.ie](mailto:suzanne.kiuchi@agriculture.gov.ie)