

Guidance for the public consultation approach for the assessment of environmental effects

CAP 2352

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Chapter 1

Introduction

- 1.1 This guidance document explains how the public will be consulted about any assessment of environmental effects (AEE) submitted as part of an application for a launch operator or spaceport licence under the Space Industry Act 2018 (SIA). It sets out the consultation processes and timescales, including around how any responses will be considered.
- 1.2 It is primarily relevant to:
- applicants for a **launch operator** or **spaceport** licence under the SIA, who are required to submit an AEE as part of their licence application, so you can understand the consultation process and its potential impacts on your proposals
 - people living or working in areas close to a proposed spaceport or launch activities, and community groups in these areas, so you can understand what opportunities you will have to comment on the proposed space activities
 - scientists and others with an interest in the environmental impact of space activities
 - public bodies such as local authorities responsible for the area close to a proposed spaceport.

The requirement for an AEE

- 1.3 Under [section 11 of the SIA](#), all applicants for a launch operator or spaceport licence are required to submit an AEE as part of their application.
- 1.4 The purpose of the AEE, is to ensure licence applicants have adequately considered the potential environmental effects of their intended activities and, if necessary, taken (or identified) proportionate steps to avoid, mitigate or offset the risks and their potential effects.
- 1.5 The AEE must address the matters listed in the [Guidance for the assessment of environmental effects \(CAP2215\)](#). It must be prepared by a competent expert(s).
- 1.6 The AEE must be submitted to the Civil Aviation Authority (CAA) along with other documents and information required as part of the licence application. The CAA is the UK's spaceflight regulator.
- 1.7 If an existing spaceport or launch operator licensee wants to vary their licence – for instance, to change the launch parameters or use a different launch vehicle, or to allow more frequent launches – then they must submit a new or revised

AEE. If the licensee believes that the proposed variation would make no material change to the AEE, then they may resubmit the previous AEE along with justification as to why this remains sufficient.

The requirement to consult

- 1.8 The CAA must take the AEE into account when deciding whether to grant a licence or vary it. As part of deciding whether to grant (or vary) a spaceport or launch operator licence, we will make the submitted AEE available for public consultation. This is to enable stakeholders to comment on the AEE and its findings.
- 1.9 We will consider all relevant comments before reaching our decision on the licence application.
- 1.10 This guidance provides more details about the consultation process we will use. It does not cover the content of the AEE.

If you have questions about any of the matters covered in this guidance document, please contact the CAA spaceflight team, by emailing commercialspaceflight@caa.co.uk

Chapter 2

The consultation process

Why we consult

- 2.1 Public consultation on the AEE is a regulatory tool employed by the CAA to improve efficiency, transparency and effectiveness of its environmental decision-making. It can also increase the scope of information available to us, to better inform decision-making on licence applications.

What we consult on

- 2.2 We will make all AEEs submitted as part of a new or varied spaceport or launch operator licence application available for public comment.
- 2.3 The exceptions to this are:
- where a proposed licence variation does not materially change the original AEE, which has previously been open to consultation, and
 - where the same AEE has been submitted for two licence applications. As they cover the same proposed activities, potential effects and mitigation, we would only consult on one AEE.
- 2.4 While all aspects of the AEE are theoretically available for comment, the focus of our consultation is to seek comments on:
- the potential significant environmental effects identified in the AEE, and the assessment of those likely effects
 - whether any proposed mitigation measures for significant effects are appropriate or where mitigation may be required, and
 - any gaps, improvements or corrections to the AEE.

What information we will not consult on

Commercially sensitive information

- 2.5 If applicants believe any of the information included in the AEE is commercially sensitive, or could compromise national security if revealed, the applicant can ask us to remove this information before we publish the AEE. This may include information deemed to be environmentally or ecologically sensitive. We will consider whether any such information should be redacted for the consultation.

Non-environmental information

- 2.6 We will not consult on any non-environmental information, submitted as part of the licence application (e.g. safety cases, or details of the organisation structure and ownership). We will assess these matters to ensure they meet the relevant requirements of the SIA and its regulations.

How we consult on AEEs

- 2.7 We will publish all AEEs and associated documents on our Consultation Hub, <https://consultations.caa.co.uk/>. For each licence application, the following information will be provided:
- a summary of what the licence application is for
 - how and where you can comment
 - when you need to comment by, and
 - what types of comments we are permitted to take account of.
- 2.8 At our discretion, we can also seek to publicise the consultation more widely, for example:
- on our social media pages, and
 - by encouraging licence applicants to publicise, such as on their websites and social media.

If you, or someone you know, requires the information to be made available in a different format, please email SpaceAEE@caa.co.uk and we will endeavour to accommodate your need.

Timings for consultation

- 2.9 Public consultation on an AEE will start as soon as is practical and possible, after we have received a completed AEE that meets the requirements set out in our guidance document [Guidance for the assessment of environmental effects \(CAP 2215\)](#).
- 2.10 Respondents will have 28 days to comment, from the date the consultation begins. This is in line with the approach adopted in other environmental permitting and planning licensing regimes.
- 2.11 The deadline for responses will be clearly shown on the Consultation Hub and any publicity we produce around the consultation.
- 2.12 All comments must be received before the consultation closes to ensure they are to be considered. We cannot guarantee that we will consider any comments received after the consultation deadline.

- 2.13 If during the application period any significant changes are made to the AEE, or if new information is received which materially changes the AEE and its outcomes, we can extend the consultation period.

Consideration of consultation comments

Who can respond to the consultation?

- 2.14 Anyone can respond to the public consultation.
- 2.15 Members of the public who may be directly affected by the proposed activities, local community groups and specific interest groups may wish to comment on the AEE. Other government departments, member states, organisations or competent authorities with expertise or local knowledge may also want to comment.

Information disclosure

- 2.16 When respondents complete the online consultation there will be an option for them to hide their identity or refuse publication. In any event, their email address will not be published.
- 2.17 In the interests of transparency, we hope respondents will not refuse publication.
- 2.18 Respondents should be aware that information sent to and therefore held by the CAA is subject to legislation that may require us to disclose it, even if they have asked us not to (such as the Freedom of Information Act and Environmental Information Regulations). Therefore, if respondents decide to send information to the CAA but ask that this be withheld from publication via redacted material, please explain why, as this will help us to consider our obligations to disclose or withhold this information should the need arise.

How do we consider the comments?

- 2.19 We will consider any relevant comments made as part of the review of the AEE and licence determination. Considering the views of the public and other stakeholders is important to identify and understand all relevant environmental matters associated with the proposals.
- 2.20 We will record how we have taken account of the consultation responses and ensure any relevant matters have been appropriately addressed in the AEE or as licence conditions, if a licence is granted.
- 2.21 We will publish a summary of how the key themes raised by stakeholders on our consultation hub.
- 2.22 Following the outcome of the assessment, we will also publish information on our final decisions and associated reasoning related to the AEE.

Disclaimer

- 2.23 The fact that we have publicised the AEE does not mean that we agree with it or accept its conclusions. We will be doing a detailed review of the AEE, alongside considering the relevant responses from public consultation, before reaching a reasoned conclusion on its findings.

Chapter 3

Recommended stakeholder engagement for licence applicants

- 3.1 The SIA and Space Industry Regulations 2021 do not set any requirements for prospective licence applicants to carry out public or stakeholder engagement about the AEE, or any other aspect of their application.
- 3.2 However, it is highly recommended that applicants follow best practice in terms of public consultation and stakeholder engagement. Further, some engagement may be mandatory through other environmental permissions required by the applicant.
- 3.3 Early engagement with the public, environmental authorities and statutory nature conservation bodies can provide useful information and public and stakeholder opinions on matters relevant to the AEE such as identification of vulnerable receptors, as well as any additional environmental licence requirements. This can also help to avoid issues arising later which might delay the determination of the licence application.
- 3.4 The onus is on you as applicant to identify who is appropriate to engage with (driven by the activities and location) and initiate the engagement. Some of this engagement may be mandatory through other licensing regimes, for example planning permission or airspace change proposals.
- 3.5 In addition to engaging with consultation bodies, we advise all applicants to carry out engagement with the public or local communities. A transparent approach with the public will allow applicants to hear and address concerns directly. Additionally, it may allow applicants to have direct contact with and build a relationship with the local communities prior to public consultation.