

[REDACTED]

Date: 11 September 2023
Reference: F0006395 (original enquiry F0006374)

Dear [REDACTED]

Thank you for your request of 2 August 2023, for the release of information held by the Civil Aviation Authority (CAA). For reference your original enquiry was as follows:

Original enquiry – F0006374

1 All applications, correspondence, reports and other information including pre-application correspondence provided to the Civil Aviation Authority or produced by the Civil Aviation Authority in connection with any applications for licences relating to the construction or operation of the Sutherland Spaceport in terms of the Space Industry Act 2018 and the related assessment of environmental effects.

2 All applications, correspondence, reports and other information including pre-application correspondence provided to the Civil Aviation Authority or produced by the Civil Aviation Authority in connection with any Launch Exclusion Zone for the Sutherland Spaceport and the related assessment of environmental effects.

3 All applications, correspondence, reports and other information including pre-application correspondence provided to the Civil Aviation Authority or produced by the Civil Aviation Authority in connection with any proposed licence conditions for the construction or operation of the Sutherland Spaceport and the related assessment of environmental effects.

4 All applications, correspondence, reports and other information including pre-application correspondence and draft orders provided to the Civil Aviation Authority or produced by the Civil Aviation Authority in connection with any orders proposed or made in 2 connection with the Sutherland Spaceport in terms of sections 39 or 41 of the Space Industry Act 2018, and the related assessment of environmental effects.

Clarification provided – F0006395

I confirm that our request relates to both the Space Industry Act licence more generally and the assessment of environmental effects.

I trust this clarifies matters but please do let me know if you have any further queries.

Your request has been considered in line with the provisions of the Environmental Information Regulations (EIRs). I understand that initially you were informed your request would be processed under the alternative access regime of the Freedom of Information Act (FOIA). However upon investigations it was concluded that the most relevant and appropriate regime was the EIRs.

I can confirm that the CAA holds some information within scope of the above enquiry; if I may I shall address each of your points in turn:

1a.in connection with any applications for licences relating to the construction or operation of the Sutherland Spaceport in terms of the Space Industry Act 2018 and 1b.the related assessment of environmental effects.

1a. – Documents element

Following a key word search review of information across the CAA's systems using the term "Sutherland Spaceport" it has been determined that on the basis of the volume of returns this element of your request is being refused at this stage by way of EIR regulation 12 (4)(b) (manifestly unreasonable – complex and voluminous).

The following may help in your decisions as to the nature of any reframed information request you may wish to re-submit:

- Limit the date range
- Limit your request to information held by the most likely internal CAA team

It should be noted that if you did re-submit a reframed question there is still the possibility that this refined request could also be subject to the application of the regulation 12 (4)(b) provisions (or in-deed any of the other in-built EIR exceptions). If this is the case, then of course we will endeavour to continue to assist you as much as possible in order to bring your request under the appropriate limit.

1b. – Assessment of Environmental Effects (AEE)

It is the CAA's position that this element of your request is refused by way of EIR regulation 12 (4)(d)(material is still in the course of completion). The assessment is still on-going and any outcomes, at this stage, not yet fully formed.

It should be noted that an application for the spaceport has not, as yet, been made and therefore we have not received an AEE.

To that end, and as mentioned by way of the above exception, the AEE is not yet fully formed. Once we do receive an application and have completed our initial screen the AEE is scheduled for publication for public comment.

2.any Launch Exclusion Zone for the Sutherland Spaceport and the related assessment of environmental effects.

3.any proposed licence conditions for the construction or operation of the Sutherland Spaceport and the related assessment of environmental effects.

4.any orders proposed or made in 2 connection with the Sutherland Spaceport in terms of sections 39 or 41 of the Space Industry Act 2018, and the related assessment of environmental effects.

It is the CAA's position that for elements 2 to 4 no information is held; therefore, these elements of your request are refused by way of EIR regulation 12 (4)(a) (information not held). That is to say following a review of held information it has been reasonably determined that the CAA holds no information within scope of your request.

If you are not satisfied with how we have dealt with your request in the first instance you should approach the CAA in writing at:-

FOI.Requests@caa.co.uk

The CAA has a formal internal review process for dealing with appeals or complaints in connection with Freedom of Information requests. The key steps in this process are set out below. A request for an internal review should be submitted within 40 working days of the date of this letter.

Should you remain dissatisfied with the outcome you have a right under Section 50 of the FOIA to appeal against the decision by contacting the Information Commissioner at:-

Information Commissioner's Office
FOI/EIR Complaints Resolution
Wycliffe House
Water Lane
Wilmslow
SK9 5AF
<https://ico.org.uk/concerns/>

If you wish to request further information from the CAA, please use the form on the CAA website at <http://publicapps.caa.co.uk/modalapplication.aspx?appid=24>.

Yours sincerely

Freedom of Information Team
Information Rights Specialist

CAA INTERNAL REVIEW & COMPLAINTS PROCEDURE

- The original case to which the appeal or complaint relates is identified and the case file is made available;
- The appeal or complaint is allocated to an Appeal Manager, the appeal is acknowledged and the details of the Appeal Manager are provided to the applicant;
- The Appeal Manager reviews the case to understand the nature of the appeal or complaint, reviews the actions and decisions taken in connection with the original case and takes account of any new information that may have been received. This will typically require contact with those persons involved in the original case and consultation with the CAA Legal Department;

- The Appeal Manager concludes the review and, after consultation with those involved with the case, and with the CAA Legal Department, agrees on the course of action to be taken;
- The Appeal Manager prepares the necessary response and collates any information to be provided to the applicant;
- The response and any necessary information is sent to the applicant, together with information about further rights of appeal to the Information Commissioners Office, including full contact details.