

## **CAP3250: Review of the Traffic Distribution Rules (1991) CAA Consultation on Draft Advice to the SoS**

Written response submitted by Heathrow Airport Limited

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Heathrow is the UK's only hub airport and largest port by value. We operate under significant capacity constraints and are close to capacity. Decisions about how scarce runway capacity is used have important implications for connectivity, competition and consumer outcomes. CAP3250 is therefore of direct relevance to Heathrow, given its proposal that the Secretary of State revoke the 1991 TDRs, which currently restrict whole-plane cargo services and general/business aviation from operating at Heathrow and Gatwick during declared peak congestion periods unless permission is granted by the airport operator.

### **The role of the TDRs at Heathrow**

The TDRs have historically operated as a congestion management tool, intended to ensure that, where demand materially exceeds supply, scarce runway capacity is allocated in a way that delivers the greatest overall public benefit. However, we recognise that these rules were introduced in a different market and regulatory context and now represent a relatively rigid approach to managing congestion at a modern, highly efficient and capacity-constrained airport.

### **Why revocation is now appropriate**

Having both considered the CAA's draft advice and listened carefully to feedback from our customers and wider stakeholders, we support the CAA's proposal to revoke the 1991 TDRs.

We recognise the importance of ensuring that the regulatory framework keeps pace with the way the market has evolved since 1991, including the increasing importance of both cargo and passenger operations at Heathrow, and the need for flexibility in how constrained capacity is managed. In our view, current evidence detailed in the CAA's draft advice supports that the revocation of the TDRs would better reflect the current operating and regulatory environment.

### **Slot allocation principles**

We recognise that many stakeholders consider the TDRs difficult to reconcile with the principles underpinning the Worldwide Airport Slot Guidelines (WASG). The TDRs restrict access for whole-plane cargo and general/business aviation at peak times by category, rather than relying solely on the wider slot framework to allocate scarce capacity. This is less consistent with a system intended to allocate capacity in an open, fair, transparent and non-discriminatory manner, and supports the case for a more flexible and proportionate approach.

### **Wider slot reform**

We continue to see merit in aligning revocation of the TDRs, where possible, with wider work on the slot regime. The effective use of capacity at a highly constrained airport cannot be considered in isolation from the wider slot framework. How slots are declared, used, handed back and

reallocated remains central to the efficient use of scarce capacity and to the interests of air transport users.

Aligning revocation with wider slot reform, as far as practicable, would help strengthen incentives for the efficient hand-back and reallocation of slots, improve market signals, and support the optimal use of constrained capacity. Taken together, this would help protect passenger frequencies that sustain belly cargo operations, while preserving access for dedicated freighter services. This would support both connectivity and the resilience of the UK aviation system.

## **Conclusion**

Given the importance of a more flexible and proportionate approach to constrained capacity, and of a framework better aligned with today's market and regulatory context, we support the CAA's proposal that the 1991 TDRs be revoked.

Revocation would provide a coherent basis for managing scarce capacity at a highly constrained airport, while better aligning the overall approach with the wider slot regime. We recommend that the purpose of TDRs should still be considered alongside wider slot reform, to ensure that the overall framework remains coherent, efficient and fit for purpose.