

Consumers and Markets Group



CAP 3202: Call for inputs – Review of the Traffic Distribution Rules 1991

18 December 2025

Dear Stakeholder,

This open letter is to provide you with an opportunity to submit initial views and evidence to our review of the Traffic Distribution Rules 1991 (“the 1991 TDRs”).¹ We ask that you do so **by 23 January 2026** by emailing economicregulation@caa.co.uk. The remainder of this letter sets out relevant background for this review and suggests specific areas where we are seeking input to assist us in developing our advice to the Secretary of State (“SoS”) regarding the potential revocation, amendment or retention of the 1991 TDRs.

We have been instructed to review the 1991 TDRs

The Minister for Aviation, on behalf of the SoS, wrote to us to request that the CAA reviews the 1991 TDRs, which is secondary legislation created by the SoS under Section 31 of the Airports Act 1986 (“the AA86”).² Under the AA86, before making (amending or revoking) any set of traffic distribution rules, the SoS must consult the CAA. In turn, before giving advice to the SoS, the CAA is required to consult with airports and airlines likely to be affected by the rules.

Our process

We plan to publish draft advice on the 1991 TDRs for consultation in March 2026. Following this, we aim to provide and publish final advice to the SoS in Summer 2026. Following the provision of our advice, it will be for the SoS to consider and decide whether the 1991 TDRs are revoked, amended or retained.

Before we consult on our draft advice, notwithstanding the evidence already available to us, we would like to give stakeholders an opportunity to set out their views, and to provide evidence that may be of assistance to our review, particularly in relation to any reasons why the 1991 TDRs may or may not still be required or, if they are still required, how they could be reformed.

Matters we will take into account

In preparing and providing our advice, as prescribed in s34 of the AA86³, the CAA shall take into account:

- such of the international obligations of the UK as the SoS may notify to it for the purposes of this section (no such obligations have been notified so far); and
- any advice received from the SoS with respect to the relations of the UK with a country or territory outside the UK (none has been received so far);

¹ See <https://www.acl-uk.org/wp-content/uploads/2017/02/TDR1991.pdf>

² <https://www.legislation.gov.uk/ukpga/1986/31/section/31>

³ <https://www.legislation.gov.uk/ukpga/1986/31/section/34>

Consumers and Markets Group



and, subject to that, have regard to:

- the need to secure the sound development of civil aviation throughout the UK;
- the reasonable interests of users of air transport services; and
- such policy considerations as the SoS may notify to the CAA for the purposes of our review.

Background

Under the 1991 TDRs whole plane cargo services, or general or business aviation services, cannot be operated at Heathrow or Gatwick airports during periods of peak congestion declared for each scheduling season by the CAA⁴, without permission from the airport operator. The 1991 TDRs are almost 35 years old, and we are considering evidence to assess if they continue to be 'fit for purpose' for well-functioning aviation markets.

The 1991 TDRs were introduced in a significantly different market context and replaced a set of even more restrictive traffic distribution rules ("TDRs"). For example, London airports are now in separate ownership and runway capacity constraints have since tightened, which has impacted the availability and price of airport slots at Heathrow and Gatwick. Increasingly, other London airports also face capacity constraints.

We understand that wider airport slot allocation reforms are being contemplated by the DfT, particularly in the context of enabling any future delivery of significant new capacity at congested airports. However, we consider that this review of the 1991 TDRs can be conducted independently from those reforms since this review concerns potential changes to legislation that can be implemented from late 2026, while delivery of significant new airport capacity at Heathrow or Gatwick will take several years, at least. We also consider that wider slot reforms may benefit from taking account of the outcome of this review.

That said, even though we will concentrate our review on the short- to medium-term market conditions, we are also interested in understanding the likely impacts of the revocation, amendment or retention of the 1991 TDRs in the longer term, including in the context of potential increased airport capacity in the southeast of England.

Ministerial views

The DfT sought initial industry views on the 1991 TDRs as part of the Winter 2023 alleviation slots consultation in June 2023. In DfT's view, the feedback to the consultation expressed a general desire for the 1991 TDRs to be reviewed. The DfT shared the feedback from that consultation (on the 1991 TDRs specifically) with us and we will take that feedback into account in formulating our draft and final advice, alongside any more recent responses to this letter.

⁴ Periods of Peak Congestion declared by the CAA in recent scheduling seasons are available at [Traffic distribution rules | UK Civil Aviation Authority](#)

Consumers and Markets Group



Furthermore, the Minister for Aviation said in his letter of January 2025:

My Department has carefully considered the views of all responses received and on balance, I have concluded that the TDR should be reviewed by the CAA on the basis that the indications so far suggest it is outdated and inconsistent with the Worldwide Airport Slot Guidelines (WASG) principle that slots are allocated at congested airports in an open, fair, transparent and non-discriminatory manner.

Areas where we are seeking your input

To guide your response, **Annex 1** contains a list of areas where we are seeking stakeholders' views and evidence. As not all aspects will be relevant to all stakeholders, please address only those areas where you have views or are able to provide relevant evidence.

Submission of responses and confidentiality

Responses to this letter can be sent to economicregulation@caa.co.uk by **23 January 2026**. Please provide non-confidential versions of your response so we can refer to it in our consultation, or other forthcoming publications, or (if appropriate) publish. If you have supporting documents or data, please include them with your response. Any material that is regarded as confidential should be clearly marked as such and included in a separate annex. We have powers and duties with respect to the disclosure of information under the Freedom of Information Act 2000 and the AA86, and it may be necessary to disclose information consistent with these requirements.

You may forward this letter to others in your organisation and/or (if relevant) to members of your trade association. We are keen to consider a full range of perspectives on the matter.

For any questions or clarifications, please contact Cynthia Kalyan at cynthia.kalyan@caa.co.uk.

Yours faithfully,

Matthew Cherry

**Economics Director
Economic Regulation and Competition Policy
Consumers and Markets Group
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Consumers and Markets Group



Annex 1: Areas where we are seeking input from stakeholders

Below are areas where we are seeking stakeholders' views and evidence. As not all aspects will be relevant to all stakeholders, please address only those areas where you have views or are able to provide relevant evidence.

1. About your business and the impact of the 1991 TDRs

Please provide a description of your organisation and the relevance of the 1991 TDRs to it.

- We invite your views on the impacts the 1991 TDRs (and its potential revocation, amendment or retention) might have on:
 - your business, customers, partners or members;
 - air cargo services (bellyhold and whole-plane), or general or business aviation in London and/or the UK;
 - efficient use of scarce airport capacity at London/UK airports;
 - the reasonable interests of air transport users; and
 - the sound development of civil aviation across the UK.

2. Market conditions and substitutability

We invite your views on:

- any trends or changes in air cargo, and/or general or business aviation, operations and demand in recent years in London/UK, as well as any information on the outlook for these sectors that you consider relevant to our review;
- the key differences between current market conditions and those when the 1991 TDRs were introduced. How these should be considered in the context of any TDRs that might apply to the London area;
- the key barriers to entry and expansion for air transport operators (including, but not limited to, whole plane cargo and general or business aviation operators) at Heathrow, Gatwick and other London airports;
- the extent to which other airports, both inside and outside the London area, provide suitable alternatives for whole plane cargo services, or general or business aviation wanting to operate at Heathrow, Gatwick and/or other London airports and why; and
- the extent to which bellyhold and whole-plane cargo service providers serve different customer needs; and the extent to which they are substitutes and/or complementary to each other.

3. Scope and effects of the 1991 TDRs

We invite your views on:

- whether the airports currently named in the 1991 TDRs as serving the same area in the UK⁵ (Heathrow, Gatwick and Stansted) are still the most appropriate set of

⁵ Under S31(6) of the Airports Act 1986, airports serving the same area in the UK is a reference to airports in the case of which a substantial number of the passengers departing from, or arriving at, the airports by air (other than those interrupting their flights there or transferring from one flight to another) have as their original points of departure, or (as the case may be) as their ultimate destinations, places situated within the same area in the United Kingdom.

Consumers and Markets Group



airports; or whether other airports should also be considered as serving that same area for the purposes of the 1991 TDRs and why;

- how the 1991 TDRs impact airports and airlines' capacity management, scheduling and operational flexibility in practice;
- the extent to which the 1991 TDRs are a binding constraint (i.e. a limiting factor in practice) to entry and expansion for whole-plane cargo and general or business aviation at Heathrow and Gatwick given:
 - the other barriers (e.g. availability of airport capacity) that currently exist; and
 - whether general and business aviation and whole-plane cargo operators would benefit from accessing regular slot series vs ad-hoc slots.

4. Alternative mechanisms for efficient use of airport capacity

We invite your views on the existence of alternative mechanisms (to the use of the 1991 TDRs) by which effective use of airports can be promoted and protected. Such alternative mechanisms may include:

- airport pricing mechanisms (e.g. through variations of airport charges);
- administrative slot allocation mechanisms, including airport operators' capacity declarations;
- other regulatory/administrative mechanisms; or
- other market-based mechanisms (such as the trading of airport slots).

5. Wider slot reforms and any other policy suggestions

We invite your views on:

- the extent to which wider slot reforms could take account of any potential reforms to the 1991 TDRs and why;
- the extent to which local slot rules⁶ and guidance, or other local airport policies, relate to the 1991 TDRs;
- any views on the costs and benefits of how you consider the 1991 TDRs should be amended, retained or revoked;⁷ and
- any other views or evidence that you consider relevant to our review of the 1991 TDRs.

⁶ Local slot rules/guidelines are available from [Latest Airport Info | Airport Coordination Limited](#), including but not limited to those that apply to [Heathrow](#) and [Gatwick](#).

⁷ Please note that TDRs may do any of the following things (and no more), namely –

- (a) specify classes or descriptions of air traffic that are permitted under the rules to use any of the airports concerned;
- (b) impose prohibitions or restrictions in relation to the use of any of those airports by air traffic of any class or description specified in the rules;
- (c) provide for the rules to come into operation (in whole or in part) at such time or in such circumstances as may be specified in the rules.