

Irish Aviation Authority
The Times Building
11 – 12 D'Olier Street
Dublin 2

22nd April 2025

By Email only: consultation@iaa.ie

Re: Draft IAA Decision on Winter 2025 Coordination Parameters at Dublin Airport dated 10 April 2025 (the “Draft Decision”)

Dear Sirs

We refer to the above draft decision on Winter 2025 Coordination Parameter at Dublin Airport dated 10 April 2025 (the “**Draft Decision**”).

Please see below recent planning developments.

Planning Update since Court hearing

1. As set out in the Draft Decision, on 2 April 2025 the High Court granted Ryanair’s application for an Order that the IAA shall not take account of the 32mppa Conditions when carrying out its functions under the Slot Regulation pending the determination of the proceedings, for the purposes of setting coordination parameters or otherwise. daa opposed the making of that order as set out in the judgement of the High Court at: courts.ie/search/judgments/.
2. The Draft Decision, at paragraph 4.13, provides that “As a result of the High Court’s granting of the order in the terms set out above, the IAA has not taken account of the 32mppa Conditions in this Draft Decision, and consequently does not propose to include a seasonal seat cap coordination parameter for W25”.
3. As daa has continually kept the IAA informed in respect of its interactions with Fingal County Council, daa wishes to provide the IAA with an update on the current status of the Operational Application. On 1 April 2025, after the hearing of the injunction application on 28 March 2025, daa received a Request for Further Information from FCC in respect of the Operational Application¹ (the “**OA RFI**”).
4. The RFI is accompanied by an Order of the Chief Executive of FCC (the “**Chief Executive Order**”). Copies of the OA RFI and Chief Executive Order are enclosed.
5. daa directs the IAA, in particular, to the following three aspects of the Chief Executive Order and OA RFI:

5.1 Request 1 of the RFI requests an Environmental Impact Assessment Report under the EIA Directive: The Chief Executive Order purports to find that “*the proposed development to*

¹ As the IAA is aware, daa submitted the Operational Application on 20 December 2024 to amend the 32mppa Conditions so as to increase the passenger limit to 36mppa (aviation count), which falls within with the estimated capacity of existing airport infrastructure.

increase the operational capacity of the airport from 32mppa to 36mppa does come within project type 13 of Part 2 of Schedule 5 of the Planning and Development Regulations and within project type 15 of the Regulations in the proposed development is likely to have significant effects on the environment”.

5.2 **Request 2** of the RFI requests that the Operational Application be varied to include “works” to the Ground Transportation Centre: Section 11.9 of the Chief Executive Order opines that “*an upgrade to the Ground Transportation Centre is required to accommodate the proposed increase in passenger numbers to 36mppa in a sustainable manner.*” Request 2 is stated to have been made “*having regard to [a] submission from the National Transport Authority (NTA) which notes that an increase of up to 36mppa will require a very substantial increase in bus services to and from the Dublin Airport and the inability of the existing facilities to accommodate such an increase in bus services.*” daa does not have a copy of the submission from the NTA.

5.3 **Request 3** of the RFI requests a Natura Impact Statement under the Habitats’ Directive: Section 14.3 of the Chief Executive Order purports to find that “*that the submission of a Natura Impact Statement (NIS) is required in order to facilitate the Planning Authority in carrying out an Appropriate Assessment of the proposed development.*”

6. These considerations by FCC are not accepted by daa, and daa wrote to FCC on 10 April 2025 requesting that requests 1 and 2 of the RFI be withdrawn. A copy of daa’s letter to FCC is enclosed. Request 3 will be addressed in the substantive response to the RFI.
7. Notwithstanding daa’s position, for completeness, daa wishes to bring to the IAA’s attention the views of FCC, as a competent authority within the planning system, that the increase in passenger numbers to the level proposed in the Operational Application will require environmental impact assessment under the EIA Directive and appropriate assessment under the Habitats Directive and works to upgrade the Ground Transportation Centre. This is particularly so, in circumstances where daa forecasts that the Draft Decision will result in passenger numbers in 2025 of in or about the same level as proposed by the Operational Application.
8. As previously, daa has written to FCC to invite FCC to make submissions directly to the IAA in respect of the Draft Decision, and see letter enclosed. To date, FCC’s position has been that it is not appropriate for it to engage in a separate regulatory process by another regulator on slot allocation at Dublin Airport.

Yours sincerely,

Leon Ronan
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