



Draft Decision
on Summer 2025 Coordination Parameters
at Dublin Airport

12 September 2024

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1. Executive Summary

- 1.1 The IAA is responsible for declaring coordination parameters at coordinated Irish airports. In this paper we set out our Draft Decision on the Dublin Airport parameters for the Summer 2025 ('S25') season, which runs from 30 March to 25 October 2025 inclusive.¹ The proposed coordination parameters are laid out in the Appendix.
- 1.2 We propose to make the following changes relative to the Summer 2024 ('S24') parameters:
- Implement the 'Wishlist 1' hourly runway capacity ('R60') limits, which involves a range of increases in the declared runway limits in the day hours, add 8 departure slots, 7 arrivals and increases the total limits by 28 per day.
 - To take account of the constraint represented by certain planning conditions which limit the combined capacity of Terminal 1 and Terminal 2 at Dublin Airport to 32 million passenger per annum (known as the '32mppa Conditions') as the IAA did as part of the Winter 2024 ('W24') coordination parameters, we propose to implement a seasonal seat capacity limit. In this case, we propose a limit of 25.2 million seats for the S25 season.
 - Stand counts are updated to reflect expected changes by apron area relative to S24. Otherwise, the form of this parameter is unchanged from S24.
- 1.3 Other coordination parameters are proposed to be unchanged relative to S24.
- 1.4 In making this proposal, we have relied on a range of evidence, and considered the advice provided by the Coordination Committee.² We commissioned fast-time simulation modelling of the airfield to assess a range of scenarios relating to potential increases in the runway limits. This work was carried out by Egis. The assessment of these scenarios takes the form of a comparison of a range of airfield metrics. The results from this assessment were shared with the Coordination Committee, and the final report is published alongside this document.
- 1.5 We have considered other evidence with which we have been presented, or which we sought. This evidence includes modelling work conducted by Dublin Airport, and its consultants.
- 1.6 We invite responses to this Draft Decision no later than 5pm, Thursday 26

¹ As per the worldwide slot calendar: <https://www.iata.org/contentassets/4ede2aabfcc14a55919e468054d714fe/calendar-coordination-activities.pdf>

² Insofar as it can be properly considered to be 'advice' from the Coordination Committee for the purposes of Article 5 of the Slot Regulation. In that regard, Ryanair, in a letter dated 10 September 2024, copied to the IAA, stated that 'No "advice" sent by the Chair and/or Secretary to the IAA on this matter can be considered by the IAA to be the advice of the committee.' The IAA has also taken account of this and other correspondence between the Coordination Committee members in relation to the Coordination Committee process for S25.

September 2024. Responses should be sent by email to consultation@iaa.ie.³

³ We may correspond with those who make submissions, seeking clarification or explanation of their submissions. Ordinarily we place all submissions received on our website. If a submission contains confidential material, it should be clearly marked as confidential and a redacted version suitable for publication should also be provided. We do not ordinarily edit submissions. Any party making a submission has sole responsibility for its contents and indemnifies us in relation to any loss or damage of whatever nature and howsoever arising suffered by us as a result of publishing or disseminating the information contained within the submission.

2. Background

Legislation

- 2.1 Section 8(1) of the Aviation Regulation Act, 2001, as amended, provides that the IAA is the competent authority in Ireland for the purposes of Council Regulation (EEC) No. 95/93, as amended (the 'Slot Regulation'). The IAA is therefore responsible for:
- The designation of the Coordination status of Irish airports.
 - Appointing a qualified schedules facilitator or coordinator, as appropriate, at airports which have been designated as Schedules Facilitated or Coordinated.
 - The determination of coordination parameters at Coordinated airports in line with Article 6 of the Slot Regulation, taking account of relevant technical, operational and environmental constraints as well as any changes thereto.
 - Deciding whether to approve Local Guidelines proposed by the Coordination Committee.
- 2.2 Dublin Airport is designated as Coordinated by the IAA. Airport Coordination Limited (ACL) is the appointed coordinator.
- 2.3 Under Article 5(1)(a) of the Slot Regulation, one of the tasks of the Coordination Committee is to advise the IAA on the coordination parameters to be determined in accordance with Article 6. The IAA attends Coordination Committee meetings as an observer.
- 2.4 Article 6(1) states that the determination of the parameters '*shall be based on an objective analysis of the possibilities of accommodating the air traffic, taking into account the different types of traffic at the airport, the airspace congestion likely to occur during the coordination period and the capacity situation*'. Thus, the determination of the parameters is a forward-looking projection in which we must take account of expected demand, capacity (including airspace capacity), and relevant constraining factors, during the relevant season, in an objective manner. This is primarily assessed through simulations of the operation of a forecast S25 flight schedule at the airport.
- 2.5 Article 6(3) of the Slot Regulation details the required interaction between the IAA and the Coordination Committee:
- 'The determination of the parameters and the methodology used as well as any changes thereto shall be discussed in detail within the coordination committee with a view to increasing the capacity and number of slots available for allocation, before a final decision on the parameters for slot allocation is taken. All relevant documents shall be made available on request to interested parties.'*
- 2.6 In that regard, as per previous seasons, when taking account of relevant

constraints in issuing a capacity declaration, we tend towards a maximal rather than minimal approach as regards declaring the airport capacity parameters. This is because of the requirement that discussion within the coordination committee is *‘with a view to increasing the capacity and number of slots available for allocation.’* This framing of the determination of the parameters is given further weight where a parameter is expected to have a constraining effect on demand, given that Article 6(1) requires the determination to be based on the *‘possibilities of accommodating the air traffic’*.

Coordination Committee Engagement Process

- 2.7 To help inform the decision on the parameters, we engaged Egis to carry out simulations of the expected flight schedule for S25, using the Fast Time Simulation model of the apron, airfield, and airspace in the Dublin Airport TMA (Terminal Manoeuvring Area). This model was originally developed for us by Egis in 2017 and has been updated regularly to include changes to infrastructure and operational procedures. It has been used for various simulation exercises since, including the determination of the capacity parameters.
- 2.8 Prior to running the simulations, Egis re-validated the model. This involves simulating the flight schedule on a recent day of operations, and comparing the simulated airfield metrics (such as taxi time durations and runway throughput) with actual observed metrics on the same day. If necessary, adjustments are made to the model and the process is repeated until a satisfactory result is obtained whereby the model is replicating the actual operation with a sufficient degree of accuracy.
- 2.9 Airlines were asked to submit plans for Summer 2025 to ACL. Analysis carried out by ACL indicated that increases in the runway limits would be required to ensure that these plans could be fully facilitated by the runway parameters. A number of changes to the hourly runway (R60) limits relative to S24 were proposed by Dublin Airport, informed by the analysis carried out by ACL.⁴ Dublin Airport set out the capacity limitations it had applied to the compiled airline wishlist when developing its proposal, in particular that no changes would be made between 2200z and 0600z (or 11pm to 7am local time), and that R60 increases would be limited to no more than 10% in any one hour.

⁴ All references to times or hours are in UTC 24-hour format, unless stated otherwise. Where a reference is made to a particular hour, such as the 0500z hour, this refers to the time period one hour in length commencing from the stated time. To give an example, the 0500z hour spans from 5 am to 6 am UTC. During the summer season, UTC time is one hour ahead of Local time. Hence, the 0500z hour spans from 6am to 7am local time.

In each hour, a requested departure slot must not bust the hourly Departures limits or the hourly Totals limit, while a requested arrival slot must not bust the hourly Arrivals limit or the hourly Totals limit.

Table 2.1: Dublin Airport Wishlist 1 Proposal for Summer 2025

UTC Hour*	Arrival	Departure	Totals
0800	+2		+2
0900		+4	+2
1100			+2
1200	+4		+4
1300		+4	+4
1800			+3
1900	+1		+5
2000			+6
Total	+7	+8	+28

Source: Coordination Committee

- 2.10 Information provided by airlines was used to develop an anticipated flight schedule on a busy day in Summer 2025, the 'S25 Schedule'. The operation of the S25 Schedule was simulated by Egis. To assess the effect of a potential decision to adjust the R60 parameters as proposed above, Egis coordinated the S25 Schedule according to both the Wishlist 1 limits, and alternatively the current S24 runway limits. Comparisons were provided between simulated taxi times, ground delay and runway holding delay. Further detail and results of this analysis is set out in Section 3, and the results of the Egis simulations are published alongside this document.
- 2.11 In relation to the passenger terminal (PTB) parameters, Dublin Airport proposed no changes relative to S24 in respect of either the departures or arrivals hourly limits. It was noted that while the rollout of EDS CB C3 cabin baggage screening equipment should be complete in both Terminal 1 and Terminal 2 by the end of 2025, departure parameters should not be modified until the full benefits of this new technology can be identified, and as old lanes will be required to be taken out of service to allow C3 installation. In both cases, it was identified that the forecast demand can be accommodated within the existing S24 limits, i.e. the PTB limits are not expected to be a constraining factor on the allocation of slots.
- 2.12 No other changes were proposed relative to the Summer 2024 limits, except updating the stand count by apron area to reflect expected changes in the count relative to Summer 2024.
- 2.13 The pre-meeting of the Coordination Committee took place on 8 August 2024. Ahead of the initial meeting, the Egis simulation modelling results were circulated. Dublin Airport also circulated various pieces of analysis and modelling results to Committee members ahead of the initial meeting, namely:
- An update on airfield performance, On Time Performance (OTP) in Summer 2024 compared to Summer 2023, prospective projects expected to be delivered for Summer 2025, projects that are expected to be under

construction in Summer 2025.

- Simulation modelling carried out for Dublin Airport by ARUP.
- An update from ACL.
- Coordination parameter proposals for Summer 2025.

2.14 At the pre-meeting, there was a suggestion by one airline for the release of alternative capacity relative to the original Wishlist 1 proposal. The proposal was distilled into an alternative flight schedule for simulation, and labelled 'Wishlist 2', as shown in Table 2.2:

Table 2.2: Wishlist 2 Proposal for Summer 2025

UTC Hour*	Arrival	Departure	Totals
0600			+2
0700	+5		+5
0800	+2		+5
1000		+2	+3
1100			+3
1200			+2
1500		+1	+4
1800	+1	+3	+10
1900		+1	+5
2000			+1
Total	+8	+7	+40

Source: Coordination Committee

- 2.15 At this meeting, Dublin Airport also presented a proposal for a seasonal PATM seat cap for S25 of 25.2m seats. It noted that *'the IAA states that it introduced a seasonal Seat Cap for W24/25 to "take account of" the 32m Terminal passenger limit'*, and that *'daa assumes that the IAA will impose a corresponding seasonal Seat Cap in S25, which will achieve calendar year compliance with the limit.'*
- 2.16 On 14 August 2024, the IAA wrote to the Chairperson of the Coordination Committee, noting the likelihood that a seat cap set at this level may be insufficient to re-allocate all historic slot series from S24, implying a reduction in historic slots to be allocated for S25. We therefore requested that as part of the Coordination Committee discussions and advice in relation to the 25.2m seasonal PATM seat cap proposal presented by Dublin Airport, consideration and advice be given on how such a reduction, if such a seat cap were to be adopted, might optimally be implemented in practice, as well as any other considerations which the Coordination Committee thought should be taken into account. We stated that such consideration and advice could be provided separately, and without prejudice to, any views which might also be taken by

members of the Coordination Committee as regards whether any reduction in historic slots could, or ought to be, implemented for S25. The Coordination Committee met again on 22 August 2024 to discuss further.

2.17 At the meeting of the Coordination Committee on 22 August 2024, a representative from Mott MacDonald, appointed by the Chair of the Coordination Committee, facilitated discussion on the matters raised in the IAA letter of 14 August 2024, relating to the PATM seat cap presented by Dublin Airport at the pre-meet. Mott MacDonald presented an estimate that, based on ACL data on current S24 historic baseline seats, a 5.6% reduction in seats could be required to meet a seasonal seat cap of 25.2m. Mott MacDonald laid out its possible approach as to how this could be done:

- The IAA would declare a S25 PATM seat cap of, for example, 25.2m seats, but at initial coordination, airline submissions for historic slots (including retimed historics) would be accepted above this limit.
- In allocating slots for S25, if the PATM seat cap parameter is exceeded due to historic slots, the coordinator would not allocate any new PATM slots or approve airline requests to increase total seats on historic slots, not re-allocate lost historic PATM slots/seat capacity, and not re-allocate any seat capacity voluntarily handed-back by airlines.
- After the series return deadline (15 January 2025), the total seats allocated for S25 (after hand backs) would be compared with the declared PATM seat cap. If total seats allocated were to exceed the PATM seat cap, then each airline will be assigned an 'Airline Seat Cap', which is a pro-rata reduction of that airline's number of seats allocated, with the same percentage reduction applied to each airline. Airlines must reduce scheduled seat capacity to comply with their Airline Seat Cap, via flight cancellations or other means available to the airline. Ad hoc seat reductions made to comply with the Airline Seat Cap are not reallocated to other carriers.

2.18 In addition, alternative options to prorate seat reductions were also presented:

- Exemption for small airlines (e.g., new entrants with less than 5 slots per day)
- Last-in-First-out reductions (i.e., airlines allocated slots more recently would need to reduce first)

2.19 The day before the final Coordination Committee meeting on 27 August 2024, Dublin Airport circulated material which, along with the results of the simulation modelling of both wishlists, outlined a series of questions for the Committee to vote on as part of the advice to the IAA in respect of any potential PATM seat cap parameter. Dublin Airport set out these questions such that holding a vote on questions 2-5 would be contingent on a majority 'yes' vote to Question 1:

- '**Question 1:** Should the Committee vote on questions 2 – 5 as requested by the IAA in its letter of 14 August 2024, noting that the IAA confirmed

that this consideration could be separate and without prejudice to members' views as regards whether any reduction in historic slots can, or ought to be, implemented for S25?

If a majority vote yes to the above question, then a vote will proceed on questions 2 – 5 below.

- **Question 2:** *Should the IAA declare a PATM seat limit for S25 based on the principles in the W24 decision?*
- **Question 3:** *At what level should the PATM seat limit for S25 be declared by the IAA, noting the information from daa regarding 25,200,000 seats to take account of the 32m Terminal passenger limit in a calendar year?*
- **Question 4:** *Noting the IAA's confirmation as set out above and in its letter of 14 August 2024, if a PATM limit declared by the IAA is insufficient to re-allocate all historic slot series from S24, should any reduction in Capacity be split evenly across all carriers operating PATM services at Dublin Airport?*
- **Question 5:** *Noting the IAA's confirmation as set out above and in its letter of 14 August 2024, if a PATM limit declared by the IAA is insufficient to re-allocate all historic slot series from S24, should the implementation of the PATM include provision for individual airline seat limits as outlined by Mott MacDonald in the Coordination Committee meeting on 22 August 2024?*

2.20 On the same day, the IAA communicated to the Chairperson of the Coordination Committee that, while respecting the Committee's conduct of its own procedures, it would be helpful to the IAA, and benefit its decision-making, if the Committee and its members were to engage with Questions 2 – 5 with whatever responses, rather than possibly not addressing them at all if there was a Question 1, as proposed, and the majority answer to that 'gateway' question was in the negative. We outlined that, even if Question 2 yielded a majority 'No' vote, the votes and views of the Coordination Committee members on this question, and Questions 3 – 5, would be useful, as they would provide a full picture of each member's position in relation to the PATM seat cap parameter, presented at 25.2m seats by Dublin Airport, that was under discussion within the Committee. We said that this approach could also provide potentially valuable perspectives for consideration generally by the IAA in its decision-making. This correspondence was relayed to the Coordination Committee in advance of the final Coordination Committee meeting on 27 August 2024.

Coordination Committee Vote

- 2.21 The Coordination Committee met again on 27 August 2024 to finalise its advice for the IAA in respect of S25.
- 2.22 Clarification on the proposed terminal capacity parameters as regards the flown load factor was sought. However, as additional discussion and modelling was not possible at this late stage, Committee Members were simply asked to vote whether to retain the S24 departure and arrival hourly limits by terminal, and

whether to retain the referral parameters. No proposal for any specific alternative was provided.

- 2.23 Coordination Committee members voted on the other proposed parameters. Voting rights for Committee members are set out in the Coordination Committee constitution. A set number of votes are allocated to Dublin Airport and AirNav Ireland (the Air Navigation Services Provider at Dublin Airport), with the rest allocated to airlines based on the number of movements flown at Dublin Airport in the preceding year, meaning that most of the voting weight is held by airlines and, in particular, Ryanair and Aer Lingus. Only those present (online or in person) can vote.
- 2.24 We note that the voting process is an indicative part of the Coordination Committee's advice to the IAA, rather than the IAA being bound by the result. As part of the process, we seek to take into account all positions set out by Coordination Committee members as well as any associated comments or evidence relevant to the parameter declaration.
- 2.25 The votes on the proposed R60 limits are set out in the appendix. There was a range of views:
- Dublin Airport supported Wishlist 1.
 - AirNav Ireland abstained.
 - Most airlines supported different scenarios in different hours, with all possibilities (i.e. Wishlists 1 and 2, and alternatively retaining the existing S24 parameter) receiving some support.
- 2.26 Overall, the vote was in favour of Wishlist 1 in all hours with the exception of the 0600z, 0800z, 1000z, and 1100z hours, where Wishlist 2 was the preferred option. No change was proposed in respect of the 10-minute runway limits. No other changes to airfield limits were proposed, other than updating the stand counts within the stand parameter to reflect changes in these counts, as usual.
- 2.27 The Committee voted, by a slim margin (48.3% in favour and 47.5% against), to retain the S24 departures and arrivals hourly limits by terminal. No specific alternative proposal was voted on. AirNav Ireland, American Airlines, Luxair, UPS, and TUI abstained.
- 2.28 As regards the referral parameters, the Committee voted to retain the S24 parameters. No alternative proposal was provided. Luxair, Qatar Airways, UPS, TUI, Iberia, and AirNav Ireland abstained.
- 2.29 Thus, overall, and aside from the question of the PATM seat cap proposal, the advice of the Coordination Committee is to implement Wishlist 1, except for the 0600z, 0800z, 1000z, and 1100z hours in which it recommends to implement Wishlist 2, update the stand counts, and otherwise make no changes to the parameters.
- 2.30 In relation to the PATM seat cap proposal, the Chair asked the Committee

whether the initially-proposed method of voting on the parameters of the PATM seat cap under discussion should be amended to meet the request by the IAA outlined at 2.20 above. Committee members were not receptive to the IAA's suggested approach, nor to providing any indication of their views on the parameters presented by Dublin Airport by means of a vote. Some members of the Committee stated that a pre-question would be more appropriate, asking the members whether it was appropriate to provide such advice. As a result, questions on the potential inclusion of a PATM seat cap and its construction for the S25 Capacity Declaration were not put to the members in full for an official vote, but were limited to Question 1 and Question 2. Committee members were directed by the Chair to correspond with the IAA if they wished to provide further commentary or views in an individual capacity.

2.31 There was then a subsequent dispute among a number of the Coordination Committee members as to whether any 'vote' had taken place in relation to any questions on the PATM seat cap proposal, and also whether certain actions of the Chair and Secretary of the Coordination Committee were undertaken in their roles as such, or in their roles as daa representatives. Aer Lingus stated in its letter of 10 September that the *'purported advice letter did not accurately reflect the proceedings of the S25 AGM at which the clear majority view was that no vote should be taken in respect of a PATM seat cap for S25 at least until, as stated above, such time as the IAA's powers in this regard have been clarified in the pending legal proceedings'*. Ryanair, in its most recent letter of 10 September, stated that the *'9 September letter proceeds to record daa's hypothetical vote on questions which were not agreed by the Coordination Committee, and were not put forward for voting to the Coordination Committee following the AGM on 27 August.'*

2.32 daa, in that letter of 9 September, sent separately from the letter of the same date which was asserted to be the Coordination Committee 'advice', stated that:

'daa accepts, with disappointment, that a majority of the Committee did not wish for members of the Committee to have a vote on questions relating to the operation of a PATM for Summer 2025. However, contrary to what is suggested in the correspondence from the Airlines, there was no consensus on this issue. daa and DHL are recorded as voting "Yes" and others abstained. As is clear from the AGM meeting minutes, whilst the Chair of the Committee acknowledged that it appeared there would be a majority "No" for Question 1 and Question 2, no formal vote on the Questions was held at the AGM. Therefore, daa notes that in accordance with usual practice in previous seasonal coordination processes, Questions 1 and 2 were circulated to the Coordination Committee in order to formally record the views of the Committee.

....

daa cannot discern what impact is alleged to have occurred from recording the answers to questions 1 and 2 (the refusal of the committee to vote on the questions, and the vote against the PATM limit) in the minutes, as opposed to recording the answers through the usual voting process.'

2.33 In that regard, what has been asserted by the secretary of the Coordination Committee to be the ‘advice’ of the Coordination Committee, sent to the IAA on, and dated, 9 September, and published alongside this paper, does contain the results of what is asserted to be ‘Vote 3’, relating to the PATM proposal. As appears from that ‘advice’, the Coordination Committee overwhelmingly ‘voted’ against Question 1 and Question 2 in relation to the PATM seat cap proposal:

- **Question 1:** *Should the Committee vote on questions 2 – 5 as requested by the IAA in its letter of 14 August 2024, noting that the IAA confirmed that this consideration could be separate and without prejudice to members’ views as regards whether any reduction in historic slots can, or ought to be, implemented for S25?*

93% opposed, 4% in favour, Luxair, UPS, TUI, and AirNav Ireland abstained.

- **Question 2:** *Should the IAA declare a PATM seat limit for S25 based on the principles in the W24 decision?*

93% opposed, 4% in favour, UPS, TUI, and AirNav Ireland abstained.

2.34 As set out in the meeting minutes and the subsequent letter from daa, Dublin Airport has clarified that it would have voted yes to each of Questions 1, 2 and 3, meaning that it supports a seasonal PATM seat cap of 25.2m for S25, which is otherwise unchanged from the seat cap coordination parameter set for W24 in terms of its proposed application. No other Coordination Committee member addressed Question 3, and no Coordination Committee member addressed Questions 4 or 5 at all, despite the IAA explaining that it would be helpful and appropriate for the Coordination Committee to do so, and this could be considered without prejudice as to the question of whether any non-reallocation of historic series could or should occur at all.

2.35 We also note more broadly that the Coordination Committee ‘advice’, as finally provided on 9 September, was more than a week late, although the IAA did receive earlier draft advice (which was itself the subject of dispute among Coordination Committee members) on 5 September. As appears from the foregoing overview, this ‘advice’ also demonstrates the high level of contention within the Coordination Committee, not only on the substantive issues to be considered for S25, but also in relation to whether and how any such issues should be considered at all. For example, on page 4 of the ‘advice’ letter:

‘Following the AGM, and, Ryanair states, despite no agreement on the proper questions to be posed (if any), questions 1 and 2 were sent forward unilaterally by (in Ryanair’s view) daa for a formal vote in order to formally record the views of the Committee. daa’s position is that the questions were sent forward by the Chair.’

2.36 The IAA has sought to limit the knock-on impact of the delayed advice on the rest of the process, and is still providing the standard two week consultation period.

3. Airfield Coordination Parameters

3.1 This section addresses, in turn:

- Runway parameters
- Stand parameters

3.2 In relation to the runway coordination parameters, we propose to implement Wishlist 1 for the S25 season, as shown in Table 3.1.

Table 3.1: Proposed changes to runway limits for Summer 2025 (Wishlist 1)

UTC Hour*	Arrival	Departure	Totals
0800	+2		+2
0900		+4	+2
1100			+2
1200	+4		+4
1300		+4	+4
1800			+3
1900	+1		+5
2000			+6
Total	+7	+8	+28

Source: Coordination Committee

3.3 We propose to make no changes to the respective R10 limits for dual and single runway operations.

3.4 We propose to retain the stand parameter as a hard constraint. Where demand for stands exceeds supply as per the count in the appendix, movements are referred to Dublin Airport for detailed assessment.

Runway Capacity

3.5 In this subsection, we consider runway capacity limits.

Egis Airfield Modelling

3.6 As described above, Egis first validated the airfield model and then simulated the S25 flight schedule under the following scenarios:

- S25 flight schedule coordinated to the proposed S25 Wishlist 1 limits
- S25 Wishlist 1 flight schedule coordinated to the existing S24 limits

3.7 The model validation process was based on 31 May 2024, using actual block times. On this day, 100% of operations were westerly.

3.8 The simulated metrics (taxi out times, runway throughput, counts of aircraft coming on block, off block, lifting off and touching down) show a close match

with the actual data both in magnitude and daily profile. Across the day, the difference between the average simulated and average actual taxi out time is 24 seconds, with the simulation generating slightly lower taxi out times than were observed in reality.

- 3.9 Taxi out time measures the time elapsed from the aircraft coming off blocks until it crosses the runway stopbar to begin its take-off roll. Departure ground delay is the accumulation of all delay experienced in the same period, i.e. all components of taxi-out time other than unimpeded taxi-time. The estimated effect of proposed airfield capacity increases on these metrics is, in our view, the best way to assess the infrastructural and operational capacity of the airfield to deliver a flight schedule.
- 3.10 Efficient towing of aircraft occurs in the model. Taxiway, towing, runway, and runway exit usage restrictions and patterns have been implemented in the model. Given the close match in the model validation outputs, it is our view that no significant airfield capacity affecting element has been omitted from the model. Airfield infrastructure was updated in the model, based on the expected situation during S25 in relation to any closures for works and projects expected to be complete. No changes are assumed in respect of operating procedures for minimum aircraft separations.
- 3.11 In each scenario, for the purposes of properly assessing airfield/runway capacity only, it is presumed that the Summer 2025 schedule of increased demand materialises as expected. We have previously observed a general pattern whereby airlines may accept sub-optimal slots (whether in relation to timing, series fragmentation, or both) in order to meet demand for an operation. In order to capture this trend, our baseline scenario assumes that this redistribution effect occurs, with these new services operating at the nearest available time, given the effective runway limits for that scenario, in the simulation.
- 3.12 The Summer 2025 flight schedule was based on expected S25 demand, but also with sufficient operations to properly test out the proposed R60 capacity increases. It contains a total of 888 flights, of which 99 are new operations. Most of these movements could be accommodated at the times requested without any changes to the runway limits.
- 3.13 This level of assumed growth means that some of the modelled operations may not materialise in S25 (particularly given the constraints on terminal capacity, as described in Section 4), and thus the schedule can be considered as an aggressive growth scenario, with a likelihood that the performance metrics produced by the model may be worse relative to those likely to be observed if growth is weaker. It may be that additional runway capacity will not facilitate growth, given other constraints, but rather allow more air carriers to operate at their preferred times. Nonetheless, we consider it important to fully test out the potential impact of a decision to increase the capacity, and that capacity is used. To assess the effect of a decision to implement the respective wishlists relative to maintaining the S24 limits, we asked Egis to simulate the S25 Schedule scenario.

- 3.14 Table 3.2 summarises the results of the Wishlist 1 and S24 limits simulations, as provided to the Coordination Committee. Further details are set out in the Egis simulations published alongside this Draft Decision.

Table 3.2: Departure Taxi Out Time under S24 limits and Wishlist 1 Proposal

Time (UTC)	Wishlist 1	S24 Limits	Difference
Daily average	00:12:36	00:12:24	00:00:12
Peak	00:22:54	00:22:42	00:00:12

Source: Egis, Slide 21. Taxi times in hours, minutes and seconds.

Peak times refer to the window with the highest average value. Values are in hours, minutes and seconds.

- 3.15 Ahead of the final Coordination Committee meeting, Wishlist 2 was also simulated, with the results shown from slide 29 of the Egis slides. This showed no overall material difference with Wishlist 1, although a further increase of the peak taxi-out time to 00:24:18 was observed.
- 3.16 In summary, relative to maintaining the Summer 2024 limits unchanged, both wishlists are not expected to have a material impact on taxi-out times on average across the day, with the exception of the peak taxi-out time during first wave departures for Wishlist 2.

Other Modelling

- 3.17 Dublin Airport commissioned ARUP to carry out simulation modelling on its behalf, which was also presented to the Coordination Committee. Modelling by ARUP similarly showed little difference between both wishlists, and thus also did not suggest that any of the wishlist scenarios would lead to a significant deterioration in airfield performance.

Taxi Out times and On Time Performance (OTP) in Summer 2024

- 3.18 At the Coordination Committee pre-meeting, Dublin Airport provided an update on outturn operational performance in Summer 2024 compared to Summer 2023, from April to July inclusive.
- 3.19 On Time Performance (OTP) has improved in each month of S24 (to date) compared with the same period of S23. Notably, despite July being the busiest month in the history of the airport at the time of the pre-meeting, OTP was 7 percentage points better than July 2023. As we have noted previously, there are many factors which influence OTP at Dublin Airport other than those which relate to airport capacity. Delay coded to En Route Air Traffic Flow Management (ATFM), which is related to insufficient air traffic control capacity in the Flight Information Regions (FIRs) of other states, rather than to Dublin Airport capacity, remains the most significant contributor.
- 3.20 Across the full day, average taxi-out times to RW 28 have improved compared with S23. In S23, the North Runway (28R) was operational from 0800z until July, and then from 0600z (7am local) in July. Average taxi-in times have also improved on S23. Average first wave taxi-out times have improved by close to

20 seconds compared with S23.

Draft Decision

- 3.21 Under the Slot Regulation, the runway parameters are to be reviewed with a view to increasing the capacity and number of slots available for allocation, based on an objective analysis of the possibilities of accommodating the air traffic.
- 3.22 Simulation modelling results of both Wishlist 1 and Wishlist 2 appear acceptable, with little overall impact or difference with respect to taxi times and delay. This modelling takes account of infrastructural, operational, and environmental constraints. We note the simulation evidence suggesting that the +6 additional morning wave departures in the Wishlist 2 scenario could lead to an increase in peak taxi-out time of c1.5 minutes, although it was noted in the Coordination Committee meeting that this may be related to stand allocation rather than genuine taxi-out delay, and thus may not necessarily be indicative of airfield congestion. We note that the Coordination Committee members voted for one of the three possible scenarios by hour, rather than voting for an entire scenario on a discrete basis. This has resulted in Wishlist 1 being the favoured scenario in most hours, but Wishlist 2 being the favoured scenario in 4 hours.
- 3.23 However, we note that no modelling has been carried out to simulate the results of any such hybrid of the two scenarios. We note that the Wishlist 2 proposal from the Coordination Committee is, in this case, not additive or incremental to Wishlist 1, but a different and alternative scenario proposed by Ryanair. Wishlist 1 is based on the bottom up wishlist requests from across a range of carriers which, in many cases, are substantiated with reference to specific operations. Wishlist 2 is not, but rather a request from a single airline. We note that Ryanair has itself voted for Wishlist 1 in a number of hours. We also note that Wishlist 1 has been supported in full by Dublin Airport, and overall, is the most favoured discrete scenario.
- 3.24 For these reasons, we consider that a discrete and fully-modelled wishlist scenario better reflects runway coordination parameters which have been objectively analysed as a constraint, and Wishlist 1 better reflects the expected air traffic and is the discrete scenario favoured by the Coordination Committee. We thus propose to amend the hourly runway limits in line with the Wishlist 1 proposal, as shown in Table 3.1 above.
- 3.25 In recent capacity declarations, we have sought to take account of the potential constraining factor represented by Condition 5 of the North Runway planning permission.⁵ This condition gives rise to complex questions of planning law, EU law, and international law, and is currently the subject of High Court proceedings to which the IAA is a notice party. In August 2023, daa obtained leave to apply for judicial review of Fingal County Council's enforcement notice (issued on 28 July 2023) in relation to alleged non-compliance by daa with

⁵ See, in particular, section 3 of the S23 Declaration: [cp5-2022-final-decision-on-summer-2023-coordination-parametersf238415a-5893-4288-8556-8a4bb98220bf.pdf](https://iaa.ie/publications/cp5-2022-final-decision-on-summer-2023-coordination-parametersf238415a-5893-4288-8556-8a4bb98220bf.pdf) (iaa.ie)

Condition 5. A stay on the enforcement notice was also granted. The hearing commenced before the High Court on 12 March. On 13 March, with the consent of all parties, the proceedings were adjourned, with a view to the Court being updated at a later date in relation to An Bord Pleanála's decision regarding the introduction of a new noise quota count system to replace Condition 5. The stay on the enforcement notice remains in place.

- 3.26 Thus, with any clarification of this matter still pending, and consistent with each declaration since S22, we propose no changes to the R60 limits in the night hours relative to those which were in place prior to completion of the North Runway. This again means that no capacity has been added between 2300 and 0700 local time since completion of construction of the North Runway, meaning that the North Runway cannot lead to more flights in this period than were previously possible under the single Runway 28L based capacity declaration.

Parking Stands

- 3.27 We propose to retain the hard constraint on stands, while updating the stand count to take account of any changes to stand availability in the various apron areas. Dublin Airport proposed maintaining the current parameter while updating the count, as usual, to reflect seasonal changes and the addition of the Apron 5H project, which will provide 12 new narrow body equivalent stands. There was no objection or alternative proposal made within the Coordination Committee.

4. Terminal Building Coordination Parameters

- 4.1 We propose to roll forward the S24 rolling hourly Passenger Terminal Buildings (PTB) limits, which are set out in Table 4.1, to the S25 season.
- 4.2 We also maintain the load factor assumptions of 95% for scheduled services in Terminal 1, 85% in Terminal 2, and 100% for charter services. We maintain the referral parameters in relation to Terminal 2 check-in desks and US Preclearance as per the S24 capacity.

Table 4.1: Proposed hourly Terminal Limits – S25

	Departures	Arrivals
Terminal 1	4,130	3,960
Terminal 2	3,600	3,400

Source: Coordination Committee

- 4.3 We propose to set a seasonal seat cap coordination parameter of 25.2m seats in respect of Terminal 1 and Terminal 2 combined.

Proposed Hourly Limits – Dublin Airport

- 4.4 Dublin Airport proposed to roll forward the PTB hourly limits. It was noted that the hourly PTB limits are unlikely to be a materially constraining factor on the allocation of slots in S25, relative to other limits.
- 4.5 Ryanair objected to this proposal on the basis that the load factor assumption of 95% is too high. However, no specific reasoned or evidenced basis for an alternative proposal was provided, nor were Coordination Committee members asked to vote on any other proposal. We note that the load factor assumptions, in the case of the hourly PTB limits are not intended to reflect seasonal average load factors, but rather ‘busy hour’ load factors. The Coordination Committee vote indicated an overall preference to retain the proposed terminal hourly limits.

Proposed Referral Limits – Dublin Airport

- 4.6 Dublin Airport proposed retaining the referral parameter for Terminal 2 check-in desks 1-28, where demand exceeds 28 desks. It also recommended retaining the referral for US Preclearance, which applies to any new flights, or time changes to pre-existing flights, intending to use this facility.
- 4.7 Ryanair objected to this proposal. However, no specific alternative proposals were provided. The Coordination Committee vote indicated an overall preference for retaining the referral parameters.

Seasonal Terminal Seat Capacity Constraint

- 4.8 For the W24 season, we put in place a Passenger Air Traffic Movement (PATM) seat capacity coordination parameter to take account of certain planning

conditions relating to Terminals 1 and 2 at Dublin Airport. Specifically, Condition 3 of the Terminal 2 planning permission F06A/1248 (PL 06F.220670), from 2007, states that:

‘The combined capacity of Terminal 2 as permitted together with Terminal 1 shall not exceed 32 million passengers per annum unless otherwise authorised by a further grant of planning permission.’

- 4.9 Similarly, Condition 2 of a Terminal 1 extension planning permission (06F.223469 & F06A/1843), from 2008, states that:

‘The combined capacity of Terminal 1 (including the extension authorised by this grant of permission) and Terminal 2 granted permission under planning register reference number F06A/1248 (An Bord Pleanála appeal reference number PL 06F.220670) shall not exceed 32 million passengers per annum unless otherwise authorised by further grant of planning permission.’

- 4.10 We refer to these conditions collectively as the ‘32mppa Conditions’. As set out in the W24 decision, the IAA had no role in the decision to impose the 32mppa Conditions, and has no power to amend or revoke them. The role of the IAA, under Article 6(1) of the Slot Regulation, is to take account of relevant constraints when determining the seasonal coordination parameters. These conditions have been the subject of discord and controversy both within the Coordination Committee, and more broadly among interested parties and other stakeholders. In that regard, our Decision on Winter 2024 Coordination Parameters at Dublin Airport (the ‘W24 Decision’)⁶ is currently being challenged in separate judicial review proceedings brought by each of daa, Aer Lingus, and Ryanair in respect of the W24 Decision and the PATM seat cap. Broadly the airlines argue that the 32mppa Conditions are not a relevant constraint, or if they are, we took account of them in an overly conservative way, whereas daa makes the opposite complaint that we allegedly took account of them insufficiently. The cases are scheduled for hearing by the High Court on 3 December 2024.

- 4.11 Notwithstanding those proceedings, it is necessary to communicate the S25 coordination parameters to the coordinator by early October, which is before the proceedings will be determined. In our view, and based on the issues that have arisen in the proceedings, and in correspondence and other materials relating to the S25 Coordination Committee process, there are two key questions to address for S25:

- Whether the 32mppa Conditions are a relevant constraint within the meaning of Article 6(1) of the Slot Regulation for S25, and if so, the manner in which they should be taken account of, as required by that article.
- If the 32mppa Conditions are a relevant constraint for S25, and taking account of them appropriately means that there is likely to be insufficient

⁶ [w24-final-decision_final.pdf \(iaa.ie\)](#)

capacity for the coordinator to reallocate all historic slot series from S24, whether it is permissible under the Slot Regulation for the coordination parameters to nonetheless be determined accordingly, i.e. with the effect that certain historic slot series will not be reallocated by the coordinator for S25.

Relevant Constraint

- 4.12 Some of the airlines took the position in respect of the W24 Decision that the 32mppa Conditions are not a relevant constraint within the meaning of Article 6(1) of the Slot Regulation. Aer Lingus wrote to us on 10 September 2024 making the same submission in advance of this draft decision for S25. Aer Lingus states that, because the question of whether the 32mppa Conditions are a relevant constraint under Article 6(1) is currently before the Courts, no decision should be taken in respect of a PATM seat cap for S25 at least until such time as the IAA's powers in this regard have been clarified in the pending legal proceedings.
- 4.13 In that regard, the IAA considers that, in circumstances where the W24 Decision was made on the basis that the 32mppa Conditions are a relevant constraint, the Court has not yet determined the proceedings challenging the W24 Decision, and there is no order restraining the IAA from proceeding on foot of that Decision or making any further decision; and the determination of coordination parameters is a time bound process which cannot be deferred in that regard, it must proceed on the basis that it has a function to determine coordination parameters, which falls to be exercised now for S25, and which it must exercise taking account of what it considers to be relevant constraints. The IAA notes also that the pending legal proceedings include a challenge by daa, who is of the view that the 32mppa Conditions do represent a relevant constraint and that the IAA did not properly or adequately reflect that constraint. Therefore, it is not the case that the inevitable outcome of the various pending legal proceedings is that Aer Lingus' position that the 32mppa Conditions are not a relevant constraint will be found to be correct.
- 4.14 The reasons why we decided that the 32mppa Conditions should, for W24, be reflected as a relevant constraint within the meaning of Article 6(1) of the Slot Regulation, and decided on the manner in which they should be reflected as such, were set out in detail in Section 4 of the W24 Decision. As is apparent from that document, interested parties, including Dublin Airport, airlines, and local residents, have taken very different positions on whether the 32mppa Conditions should be considered a relevant constraint, and, if so, how they should be reflected in the coordination parameters.
- 4.15 As outlined in Section 2 above, those different positions have again been reflected in the Coordination Committee 'advice' for S25. Most airlines have not only opposed any such coordination parameter, but have refused to engage on the topic at all, such as in relation to how an associated seat cap might be estimated or put into effect in practical terms, even on a without-prejudice basis, as the IAA had suggested. On the other hand, Dublin Airport has supported the imposition of a seat cap and, unlike for W24, Dublin Airport has outlined a

specific estimate of the appropriate seat cap for S25.

- 4.16 For the W24 season, we agreed with Dublin Airport that the existence of different possible interpretations of the 32mppa Conditions does not provide a basis not to reflect the constraint in the declared capacity at all. We stated that on any of the suggested interpretations, we considered that, based on then-current data and traffic forecasts, an annualised capacity of 32mppa was likely to be a limiting constraint on demand by, at the latest, 2025. That remains the case for S25, and it is now clear that, if the status quo continues from a planning perspective, it will be a number of years before the 32mppa Conditions can be amended or revoked. No arguments over and above those made in respect of the draft W24 Decision have been advanced by the airlines which would lead us to a different conclusion on this point.
- 4.17 In the W24 Decision, we also rejected the conflation on the part of Dublin Airport between the taking account of a relevant constraint as required by Article 6(1) of the Slot Regulation, and daa complying with its planning conditions. The IAA is not responsible for ensuring that daa complies with its planning conditions, and, in the particular case of the 32mppa Conditions, it is not in any event possible for us to do so. In that regard, there is disagreement over what exactly the 32mppa Conditions require, and uncertainty over how exactly daa will operate the airport in terms of, for example, how many transfer passengers will use the capacity of Terminal 1 or Terminal 2. The coordination parameters cannot, in any event, deliver a specific volume of outturn passengers, if that is what is required for daa to comply with the 32mppa Conditions.
- 4.18 In that regard, and noting Dublin Airport's assertion at the Coordination Committee pre-meet on 8 August 2024 that it assumed the IAA would impose a seasonal seat cap for S25 "*which will achieve calendar year compliance with the limit*", we reiterate that the IAA is not responsible for the enforcement of, or compliance with, the 32mppa Conditions, nor for determining how they ought to be interpreted. While we expect that the imposition of such a seat cap would be of significant assistance to daa in materially complying with the 32mppa Conditions, it is for daa, as the owner of the relevant planning permissions and as the entity proceeding with development in accordance with those permissions, to determine the appropriate actions to ensure that it complies with conditions attached to those permissions.
- 4.19 For W24, in circumstances where Dublin Airport had failed/refused to provide a specific proposal of its own within the Coordination Committee, in the way it ordinarily does, we developed our own estimate of an appropriate seat cap parameter. This was based on an objective analysis of the possibilities of optimally accommodating the air traffic, subject to the constraint on terminal capacity set out in the 32mppa Conditions. For S25, Dublin Airport has, in the Coordination Committee, adopted our methodology, while using its own inputs specific to S25, which it has set out within the Coordination Committee. The proposed inputs include a seasonal average load factor assumption for S25 of 86%, a 4.3% proportion of total airport passengers not using the capacity of Terminal 1 or Terminal 2, and an assumed passenger volume of 21.67m for the season. These inputs, as presented by Dublin Airport, yield a PATM seasonal

seat cap coordination parameter of 25.2m. We note the following in relation to the inputs:

- Dublin Airport has adopted our estimate from the W24 Decision (14.4m seats) as being the winter seasonal seat cap, has considered more recent data in respect of load factors, and estimated the summer seasonal seat cap accordingly.
- Dublin Airport's S25 load factor estimate is 86%, similar to the emerging S24 load factor. Whereas the IAA's W24 load factor assumption was based on the W23 outturn seasonal load factor, in this case the S24 outturn seasonal load factor is not yet available because the season is ongoing.
- Dublin Airport has assumed 4.3% of total airport passengers as not being relevant to the capacity of Terminal 1 or Terminal 2, equivalent to what it anticipates that proportion to be in 2024. While, as set out at paragraph 4.59 of the W24 Decision, we expect Dublin Airport to be able to take measures to reduce the relative capacity of Terminal 1 and Terminal 2 compared to the whole airport, to a certain extent, we also expect that additional upward pressure might on the other hand arise from the resulting capacity constraint for S25 relative to S24 being below the level of historic slot series, thus beyond that which was necessary from W23 to W24.

4.20 In summary, we consider that it is again necessary to take account of the 32mppa Conditions for S25, for the same reasons as set out in Section 4 of the W24 Decision. We also consider that the optimal manner in which to take account of the Conditions is, as for W24, by means of a seasonal seat cap, also for the same reasons set out in detail in Section 4 of the W24 Decision. We consider that the S25 seat cap should be particularised in the same way as for W24, and accept Dublin Airport's estimate of 25.2m seats as being overall reasonable in that regard. We therefore conclude that, in all of the circumstances, having considered all the materials and information available to us, and noting the absence of any alternative proposals, it is appropriate to take account of the 32mppa Conditions for S25 by means of a seasonal seat cap of 25.2m seats.

4.21 At the Coordination Committee pre-meeting on 8 August, Dublin Airport outlined its estimate that a seat cap of 25.2m would be approximately 1m seats, or 4%, below the total incoming historic seats from S24. That is, adopting it as a coordination parameter would require that, on Dublin Airport's estimate, approximately 4% of historic seats not be reallocated for S25. We note that Dublin Airport has not, however, set out what it considers to be the legal basis for such an approach. Dublin Airport has also not provided any input on whether, if such a legal basis exists, how any non-reallocation should be effected in practice. Indeed, by its letter dated 9 September 2024 to the IAA, Dublin Airport confirmed that its position on questions 4 and 5, which were not voted on by the Coordination Committee, would have been to abstain. We therefore consider this question next.

The Nature of Historic Slots

- 4.22 As part of the W24 process and the associated judicial review proceedings, and in the Coordination Committee meetings and related correspondence (including Aer Lingus' letter of 10 September) in respect of S25, a number of airlines have asserted that historic slot entitlements are in the nature of property rights which, they say, are protected under the Irish Constitution, and also the EU Charter of Fundamental Rights. They have adverted to the provisions of Articles 8(2) and 8a of the Slot Regulation, and, in those regards, to the entitlement to the same series of slots in the next equivalent scheduling period under the "80/20" "use-it-or-lose-it" principle and the entitlement to transfer and exchange slots.
- 4.23 They also suggest that insofar as any restriction or limitation of these entitlements is to be effected, this must be done in a lawful manner, and refer, in particular, to previous decision-making pre-dating the W24 decision; the rationality, or otherwise, of the PATM seat cap parameter and its relationship to the aims and objectives of the Slot Regulation; and to the proportionality, or otherwise, of the measure and the need to ensure its adoption impairs the entitlements of air carriers as little as possible.
- 4.24 As regards the nature of slots and series of slots under the Slot Regulation, and
- (i) the nature of the entitlements of air carriers
 - under Article 8(2) of the Slot Regulation to the same series of slots in the next equivalent scheduling period under the "80/20" "use-it-or-lose-it" principle, and
 - under Article 8a to transfer and exchange slots,
- and
- (ii) whether air carriers enjoy protected property rights in these things,
- the IAA has not been able to identify any authority in these regards (for example, in the form of decisions of relevant courts of competent jurisdiction, dealing with these issues).
- 4.25 In seeking to gain an understanding of the nature of the entitlements under the Slot Regulation, the IAA has considered carefully the wording and provisions of the Slot Regulation itself. A reading of the Slot Regulation suggests that the primary objective is to provide a system to ensure that airlines have access to coordinated airports, while they are coordinated, on the basis of principles of neutrality, transparency and non-discrimination, via the allocation of slots in accordance with the rules set out in the Slot Regulation.
- 4.26 Taking the elements of a slot/series of slots by reference to the Slot Regulation, a slot/series of slots would appear to constitute:
- (i) a permission
 - (ii) given by the coordinator

- (iii) in accordance with the Slot Regulation
- (iv) to an air carrier who is and remains for the time being licensed as such
- (v) for the scheduling period for which it is requested
- (vi) to use relevant infrastructure owned by an airport, that is necessary to operate an air service at the particular coordinated airport
- (vii) on specific dates and times
- (viii) for the purpose of landing or take-off
- (ix) as allocated by the coordinator in accordance with the Slot Regulation
- (x) which permission expires at the end of the scheduling period concerned (or sooner than that) and must be returned to the slot pool
- (xi) save where an air carrier can demonstrate that the permission was utilised 80% or more in that scheduling period, in which case the air carrier can request that the slot/series of slots be renewed for the next equivalent scheduling period
- (xii) and which permission may, be transferred to, or exchanged with, others, as provided for in the Slot Regulation.

4.27 The incidents above are to be read in the light of the provisions of the Slot Regulation as a whole, including the provisions of Article 8b, which expressly contemplates that the entitlement to series of slots referred to in Article 8(2) can be the subject of *'limitation, restriction or elimination'*, and that any such thing imposed under Community law shall not give rise to any claims for compensation. Aer Lingus has submitted in advance of this draft decision that, in correspondence relating to Condition 5 of the North Runway Planning Permission, the IAA *'appear[ed] to rely on Article 8B of the Slot Regulation as providing a potential legal basis for withdrawing historic slots.'* The IAA's view of Article 8b is as set out here, namely that it expressly contemplates that the entitlement to series of slots referred to in Article 8(2) can be the subject of *'limitation, restriction or elimination'*.

4.28 In addition, it is clear from the scheme of the Slot Regulation that the allocation by the coordinator of slots follows from the prior declaration by the IAA of the coordination parameters, which are *'the expression in operational terms of all the capacity available for slot allocation at an airport during each coordination period'*.

4.29 It therefore seems that the Slot Regulation contemplated that the slots available for allocation in any coordination period would proceed from a prior declaration of the capacity available for allocation in that coordination period. If, for whatever reason, the capacity is more constrained in the current period than in the previous corresponding coordination period, or previous periods, this might result in insufficient capacity being available to enable the coordinator to deliver on the entitlement, otherwise enjoyed by particular air carriers, to being

allocated the same series of slots in the next equivalent scheduling period. Thus, depending on the nature and extent of the capacity reduction concerned, there might be the kind of '*limitation, restriction or elimination*' of the entitlement to that series of slots contemplated by the Slot Regulation (which things do not, according to the Slot Regulation, attract claims for compensation, if imposed under EU law).

- 4.30 It would seem also that the entitlement to transfer or exchange slots must be conditional on there being capacity to allocate the slots concerned in the coordination period concerned, in the first place.
- 4.31 Further, we note that, as per Article 8a(1)c of the Slot Regulation, the entitlement to transfer or exchange slots does not appear to be in the nature of an entitlement to alienate a slot enjoyed by the carrier for the time being by way of simple 'sale', but, rather, is an entitlement, where the slot is allocated on foot of sufficient capacity being declared, only to swap slots, and we note that consideration is only paid where the value of one slot being swapped is greater than the value of the other being received. This topic was further addressed by the European Commission in section 5 of its Communication of 30 April 2008 (COM(2008) 227).⁷
- 4.32 Separately, Article 3(7) of the Slot Regulation provides that, where the capacity of a coordinated airport becomes sufficient to meet demand, it shall no longer be designated as coordinated. Relatedly, the World Airport Slot Guidelines ("**WASG**") makes it clear at paragraph 1.1.2 that '*Coordination is not a solution to the fundamental problem of a lack of airport capacity. In all instances, coordination should be seen as an interim solution to manage congested infrastructure until the longer-term solution of expanding airport capacity is implemented.*' Paragraph 6.6.2 of the WASG also notes that '*ATA monitors all coordinated airports to identify opportunities to reduce the number of coordinated airports.*'
- 4.33 In the event of any coordinated airport reverting to Level 2 or Level 1 status, as contemplated by both the Slot Regulation and the WASG, the question of slot allocation, including historic slots, falls away entirely. This is therefore a further example of the temporary nature with which the Slot Regulation appears to contemplate the concept of slots.
- 4.34 The IAA has also noted the commentary of the European Commission, as contained in the explanatory memorandum in relation to its proposal to amend the Slot Regulation,⁸ which was adopted (Regulation (EC) No 793/2004). The proposal was to amend the definition of 'slot',⁹ which, it was stated, was to clarify

⁷ [Microsoft Word - EN 227 original.doc \(europa.eu\)](#)

⁸ [Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation \(EEC\) No 95/93 of 18 January 1993 on common rules for the allocation of slots at Community airports - COM/2001/0335 final](#)

⁹ The definition of "slot" proposed by the Commission in COM/2001/0335 final was "*the entitlement established under this Regulation, of an air carrier to use the airport infrastructure at a coordinated airport on a specific date and time for the purpose of landing and take-off as allocated by a coordinator in accordance with this Regulation*". A variation on that definition was introduced by the [Common Position adopted by the Council](#), which is the definition now included in the Slot Regulation: "*the permission given by a coordinator in accordance with this Regulation to use the full range of airport*

the legal nature of slots. The Commission explained, under the heading ‘*legal nature of slots*’, that:

’11. The current rules on slot allocation have given rise [sic] to discussions about the legal nature of slots, notably at Europe’s severely congested airports where market access has been particularly difficult. The definition of a “slot” in the current Regulation is expressed in purely factual terms. As a consequence, the “use-it-or-lose-it” rule along with the existence of grandfathered rights has led to situations where certain airlines, on the one hand, have claimed that slots are their property assets on which their networks are build [sic], while airports, on the other hand, have argued that slots constitute their property rights as they are inextricably linked to the airport infrastructure. Therefore, there is apparent need to clarify the legal status of slots so as to create a solid basis for an allocation system, which allows both air carriers and airports to plan operations in the most effective way and ensure that scarce airport capacity is optimally used.

12. In the light of that, this Regulation stipulates that slots constitute entitlements to access the airport infrastructure at specific times of the day during the scheduling periods. In that way it becomes clear that slots do not constitute property rights but only entitle air carriers to use the airport facilities by landing and taking-off at specific dates and timings.

Accordingly, the slot allocation system should be considered as a system whereby the slots are allocated as public goods, based on certain rules, to the most deserving air carrier. In conformity with long established international practice (IATA Scheduling Procedures), slots are allocated as entitlement to access and use the airport facilities for the purpose of landing and take-off at specific dates and times for the duration of one scheduling season (winter or summer). If air carriers observe certain usage rules and can demonstrate to the satisfaction of the coordinator that they have been effectively using their slots, they can “renew” their entitlement for the next equivalent scheduling seasons. This possibility corresponds to the existing international practice of grandfather rights. If these conditions are not met, the slot entitlements are returned to the pool (in practice withdrawn by the coordinator and placed as unused slots into the pool) for re-allocation; this situation does not give the carrier concerned any legal claim.’

- 4.35 Recitals (8) and (9) of amending Regulation 793/2004, adopted following the Commission’s proposal, now state the following, and make it clear that the ‘*grandfather rights*’ to series of slots must be subject to the ability of/requirement for Member States (in this case, the IAA) to take account of operational and environmental constraints when defining capacity parameters (and therefore are conditional on, and subject to, declarations of relevant capacity parameters accordingly):

‘(8) It is also necessary to make clear that slot allocation should be considered

infrastructure necessary to operate an air service at a coordinated airport on a specific date and time for the purpose of landing or take-off as allocated by a coordinator, in accordance with this Regulation”

as giving air carriers permission to access the airport facilities for landing and taking-off at specific dates and times for the duration of the period for which the permission is granted. The need to develop rules and procedures for coordinating airport and airway slots should be examined.

(9) However, in the interest of stability of operations, the existing system provides for the reallocation of slots with established historical precedence ("grandfather rights") to incumbent air carriers. In order to encourage regular operations at coordinated airports it is necessary to provide that grandfather rights relate to series of slots. At the same time, Member States should, when defining capacity parameters, be able to take account of operational and environmental constraints.'

- 4.36 Elsewhere, by way of comparative interest, in the United States, the Code of Federal Regulations, Title 14, § 93.223 (a), provides as follows:

'Slots do not represent a property right but represent an operating privilege subject to absolute FAA control. Slots may be withdrawn at any time to fulfil the Department's operational needs, such as providing slots for international or essential air service operations or eliminating slots.'

- 4.37 In addition, the WASG provide, at Section 6.10.3, that:

'[a] capacity reduction after the Initial Submission Deadline, or a capacity reduction that cannot accommodate historic slots must be avoided except in exceptional circumstances'.

- 4.38 The WASG clearly contemplate that there may be capacity reductions which will result in an inability to accommodate historic slots.

- 4.39 In light of the above, while it is not unknown for air carriers to assert property rights in slots/series of slots, as they have done in the current circumstances, it is the understanding of the IAA that the entitlements provided for in the Slot Regulation are not intended to be regarded as property rights, and are attended by incidents that are inconsistent with a conclusion to the contrary.

- 4.40 However, the IAA is also of the view that, even if the entitlements are properly to be regarded as property rights, the precise nature and extent of these rights is as delineated and circumscribed by the provisions of the Slot Regulation, as outlined above.

- 4.41 Accordingly, on the premise that the IAA is correctly taking into account the 32mpps Conditions in the determination of the parameters for slot allocation as a 'relevant constraint' within the meaning of Article 6(1), and on the premise that the process currently being undergone to determine the appropriate parameters is an appropriate one being appropriately conducted, any right that might exist, and that might be restricted or limited as a consequence of the IAA's final parameters decision for S25, would be so restricted or limited to an extent, and in a manner, contemplated by the Slot Regulation, and therefore, in a lawful manner.

- 4.42 On the basis of this analysis, our draft conclusion is that there is no basis to conclude that the Slot Regulation does not permit the application of a seat cap of 25.2m for S25, even if that requires a certain proportion of historic seats from S24 to not be reallocated, where this is an appropriate way to take account of a relevant constraint such as the 32mppa Conditions.

Practical Implementation

- 4.43 As set out above, while Mott MacDonald set out a possible approach to the Coordination Committee on the practical application of a PATM seat cap which falls below the level of incoming historic slots, no Coordination Committee members ultimately supported this approach. Despite the IAA stating that the Coordination Committee should consider this issue, entirely without prejudice to any views that member might take as regards whether any such reduction in historic slot entitlements is permissible and/or warranted, it did not do so.
- 4.44 The approach proposed by Mott MacDonald suggests allocating all airline requests for historic slots at initial coordination (SALs), and to the extent that subsequent handbacks do not meet the PATM seat capacity limit by the HBD, airlines will then be required, on a pro-rata basis, to reduce seats to achieve compliance with the parameter. This proposal, however, does not address the basis for withdrawal of seats/slots under the Slot Regulation, once those have already been allocated through the SALs and if airlines do not comply with their pro-rata reduction contribution. Mott MacDonald did not address the question of enforcement of any such seat reduction, nor how the approach can be reconciled with the requirement of Article 6 that the coordination parameters are to be set based on relevant constraints (and slots are to then be allocated on foot of those coordination parameters). Thus, in our view, any such reduction should occur on foot of the declaration of coordination parameters, as part of the SALs.
- 4.45 We agree, however, with Mott MacDonald that any such required reduction should be imposed on a pro-rata basis, across all air carriers with incoming historic seats from S24. Such an approach is consistent with the principles of transparency and non-discrimination which underpin the Slot Regulation. We propose that if the situation materialises whereby the level of incoming historic seats is greater than the 25.2m PATM seat limit, ACL shall be required to allocate seats only to the PATM seat limit. In doing so, a pro-rata reduction shall be allocated to each carrier in order to ensure that the PATM seat limit is not breached.
- 4.46 In terms of practicalities, ACL would remove seats from historic slots up to the percentage reduction required, leaving all other elements intact. We understand that an effort could be made by ACL to concentrate on slots in off-peak periods based on terminal capacity, leaving carriers flexibility to move seats as required. This would mean that carriers retain flexibility as to how to achieve their percentage seat reduction across their portfolio. For example, it might be delivered by cancelling services, or reducing a frequency (e.g. six days rather than a daily service), or downgauging aircraft, or various combinations of those things. In such a scenario, no new slots would be allocated.

- 4.47 In all other respects, we propose that the S25 PATM seat cap coordination parameter would be specified in the same manner, and with the same application as the W24 PATM coordination parameter. The proposal for S25 is set out in the appendix.
- 4.48 The proposed PATM seat parameter would therefore be a seasonal limit applying to all passenger services using Terminal 1 or Terminal 2. Operations not using the passenger capacity of Terminal 1 or Terminal 2 would not be limited by the PATM seat cap. This means that cargo and General Aviation (GA) operations would not be limited by it, in the latter case because they enter via gateposts or the Platinum Services terminal, rather than Terminals 1 or 2. In the case of GA, this will be kept under review for future seasons pending the outcome of the disagreement over the meaning and effect of the 32mppa Conditions. We note that, in any event, the question is of limited materiality in the context of the volume of GA passengers.

Draft Decision on Terminal Capacity Parameters

- 4.49 We note the majority proposal from the Coordination Committee to retain the S24 Departures and Arrivals hourly limits by Terminal, and the S24 referral parameters. We propose to roll forward the PTB limits from the S24 season. We also propose to maintain the hourly peak load factor assumption of 85% for scheduled services, and 95% for charter services. We propose to maintain the referral parameters in relation to Terminal 2 check-in desks 1 to 28, and US Preclearance as per the S24 capacity.
- 4.50 We propose a full-season PATM seat capacity parameter of 25.2m in relation to Terminal 1 and Terminal 2 combined for the S25 season, which is necessary to properly take account of the capacity constraint generated by the 32mppa Conditions.

5. Appendix: Summer 2025 Coordination Parameters

The Irish Aviation Authority has determined the following scheduling limits for the Summer 2025 season at Dublin Airport.

Runway Scheduling Parameters:

Runway Hourly Limits			
Time UTC	Arrivals Limit	Departures Limit	Total Limit
0000	23	25	32
0100	23	25	32
0200	23	25	32
0300	23	25	32
0400	23	25	32
0500	23	36	40
0600	20	40	52
0700	25	25	45
0800	29	25	50
0900	27	30	54
1000	29	27	52
1100	30	30	54
1200	28	29	54
1300	28	30	56
1400	23	29	49
1500	26	27	47
1600	27	29	52
1700	26	28	51
1800	23	26	46
1900	26	22	46
2000	27	22	46
2100	33	25	44
2200	28	25	32
2300	23	25	32
Totals	<u>616</u>	<u>655</u>	<u>1062</u>

Maximum number of movements per 10 minute period- Dual runway operations	
Maximum Total	13
Maximum Arrivals	6
Maximum Departures	7

Maximum number of movements per 10 minute period- Single runway operations (2200z-0559z)	
Maximum Total	9
Maximum Arrivals	6
Maximum Departures	6*
*Exception: Maximum Departure Limit is 7 movements at 0500, 0510, 0520, 0530, 0540, 0550 UTC	

Passenger Terminal Parameters (hourly):

	Departures Hourly Limit	Arrivals Hourly Limit
Terminal 1	4,130	3,960
Terminal 2	3,600	3,400

Notes:

- 1) The hourly limit for passengers is rolled every 10 minutes.
- 2) Load factors of 95% are applied to Scheduled services for Terminal 1.
- 3) Load factors of 85% are applied to Scheduled services for Terminal 2.
- 4) Load factors of 100% are applied for Chartered services for both Terminal 1 and Terminal 2.

Passenger Terminal Parameters (seasonal):

	PATM Seat Capacity
Terminal 1 and Terminal 2 combined	25,200,000
Service type codes not using the capacity of Terminal 1 or Terminal 2: General Aviation (D), Special (FAA/Government) (E), Cargo Scheduled (F), Crew Training (other than GABA operators) (K), Air Ambulance (U), Military (W), Technical Stop (X).	

Notes:

- 1) A total seasonal limit applies to all service type codes other than those listed above as not using the capacity of Terminal 1 or Terminal 2. An individual airline seasonal quota is not applied.
- 2) To the extent that the seasonal PATM seat parameter may be insufficient to permit the full reallocation of historic slot series from S24, reductions in seats to be applied on a pro-rata basis across all air carriers holding historic seats from the Summer 2024 season.
- 3) Slots returned must include the seats assigned to that slot at the time of return to the pool.
- 4) Slots returned will be made available to other users, provided the slot request does not exceed the PATM seat parameter.

Stand Parameters:

	GA	Non-Turnaround		Turnaround Stands									All
	W.A.N	W.A.S	Total	5G	5H	Triangle	MRO	P1	P2	P3	P4	S.A	Total
Remote	8	16	24	15	12	3	6	3	-	-	-	-	63
Contact	-	-	-	-	-	-	-	22	10	11	19	9	71
All	8	16	24	15	12	3	6	25	10	11	19	9	134

Note: This table represents NBE stand capacity.

Area	Constraint
Stands	Where demand for stands exceeds supply based on coordination allocation, flights to be referred to Dublin Airport for detailed assessment.

Referral Parameters:

Area	Flag
T2 Check-in Desks 1-28 (T2 Operators excluding EI)	Demand exceeds 28 desks
US Preclearance	New flights and schedule changes

Table A1: Coordination Committee Voting Summary – Runway Parameters.

Member	0600	0700	0800	0900	1000	1100	1200	1300	1500	1800	1900	2000
Ryanair	W2	W2	W2	W1	W2	W2	W2	W1	W2	W2	W2	W1
Aer Lingus	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1
Air France	S24	S24	S24	S24	S24	S24	S24	S24	S24	S24	S24	S24
American Airlines	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1
British Airways	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1
BACF	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1
Delta Airlines	W2	W2	W2	W1	W2	W2	W1	W1	W2	W2	W2	W1
DHL	W2	W2	W2	W1	W2	W2	W1	W1	W2	W2	W2	W1
Emirates	S24	S24	S24	S24	S24	S24	S24	S24	S24	S24	S24	S24
Fedex	W2	Abs	Abs	Abs	Abs	Abs	Abs	Abs	W2	W2	Abs	W1
Finnair	S24	W2	W2	W1	S24	W1	S24	S24	S24	W2	W2	S24
Lufthansa	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1
Swiss	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1
KLM	S24	S24	S24	S24	S24	S24	S24	S24	S24	S24	S24	S24
Luxair	Abs	Abs	Abs	Abs	Abs	Abs	W1	W1	W2	W2	Abs	Abs
Norwegian	W2	W2	W2	W2	W2	W2	W2	W2	W2	W2	W2	W2
Qatar Airways	W2	W2	W2	W2	W2	W2	W1	W1	W2	Abs	Abs	Abs
SAS	W2	W2	W2	W2	W2	W2	W2	W2	W2	W2	W2	W2
UPS	W2	W2	W2	W2	W2	W2	W2	W2	W2	W2	W2	W2
TUI	W2	Abs	Abs	Abs	Abs	W1	W1	Abs	Abs	W1	W1	W1

United Airlines	S24	S24	S24	S24	S24	S24	S24	S24	S24	S24	S24	S24
Vueling	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1
Emerald Airlines	W2	W1	W2	W2	W2	W2	W1	W1	W1	W1	W1	W1
Iberia	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1
AirNav Ireland	Abs	Abs	Abs	Abs	Abs	Abs	Abs	Abs	Abs	Abs	Abs	Abs
daa	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1	W1
Result	W2	W1	W2	W1	W2	W2	W1	W1	W1	W1	W1	W1
% of total votes	56%	47%	55%	82%	54%	54%	49%	91%	47%	47%	47%	91%

Table A2: Retain S24 Departures and Arrivals hourly limits by Terminal

Member	Answer	Yes	No	Abstain
Ryanair	No	0	428	0
Aer Lingus	Yes	263	0	0
Air France	Yes	10	0	0
American Airlines	Abstain	0	0	8
British Airways	Yes	18	0	0
BACF	Yes	15	0	0
Delta Airlines	Yes	9	0	0
DHL	Yes	0	0	0
Emirates	Yes	6	0	0
Finnair	No	0	3	0
Lufthansa	No	0	19	0
Swiss	No	0	8	0
KLM	Yes	14	0	0
Luxair	Abstain	0	0	2
Norwegian	No	0	1	0
Qatar Airways	No	0	6	0
SAS	No	0	9	0
UPS	Abstain	0	0	7
TUI	Abstain	0	0	5
United Airlines	Yes	9	0	0

Vueling	Yes	6	0	0
Iberia	Yes	4	0	0
Emerald Airlines	Yes	88	0	0
AirNav Ireland	Abstain	0	0	20
daa	Yes	40	0	0
Total		483	475	43
		48.3%	47.5%	4.3%

Table A3: Retain S24 Referral Parameters

Member	Answer	Yes	No	Abstain
Ryanair	No	0	428	0
Aer Lingus	Yes	263	0	0
Air France	No	0	10	0
American Airlines	Abstain	0	0	8
British Airways	Yes	18	0	0
BACF	Yes	15	0	0
Delta Airlines	Yes	9	0	0
DHL	Yes	0	0	0
Emirates	Yes	6	0	0
Finnair	No	0	3	0
Lufthansa	Yes	19	0	0
Swiss	Yes	8	0	0
KLM	No	0	14	0
Luxair	Abstain	0	0	2
Norwegian	No	0	1	0
Qatar Airways	Abstain	0	0	6
SAS	No	0	9	0
UPS	Abstain	0	0	7
TUI	Abstain	0	0	5
United Airlines	Yes	9	0	0

Vueling	Yes	6	0	0
Iberia	Abstain	0	0	4
Emerald Airlines	Yes	88	0	0
AirNav Ireland	Abstain	0	0	20
daa	Yes	40	0	0
Total		481	466	53
		48.1%	46.6%	5.3%

Table A4: Question 1 on PATM (see section 4)

Member	Answer	Yes	No	Abstain
Ryanair	No	0	435	0
Aer Lingus	No	0	267	0
Air France	No	0	10	0
American Airlines	No	0	9	0
British Airways	No	0	19	0
Delta Airlines	No	0	9	0
DHL	Yes	0	0	0
Emirates	No	0	7	0
Finnair	No	0	3	0
Lufthansa	No	0	20	0
Swiss	No	0	8	0
KLM	No	0	14	0
Luxair	Abstain	0	0	2
Norwegian	No	0	1	0
Qatar Airways	No	0	6	0
SAS	No	0	10	0
UPS	Abstain	0	0	7
TUI	Abstain	0	0	5
United Airlines	No	0	9	0
Vueling	No	0	6	0

Iberia	No	0	90	0
Emerald Airlines	No	0	4	0
AirNav Ireland	Abstain	0	0	20
daa	Yes	40	0	0
Total		40	926	34
		4%	93%	3%

Table A5: Question 2 on PATM (see section 4)

Member	Answer	Yes	No	Abstain
Ryanair	No	0	438	0
Aer Lingus	No	0	268	0
Air France	No	0	10	0
American Airlines	No	0	9	0
British Airways	No	0	19	0
Delta Airlines	No	0	9	0
DHL	Yes	0	0	0
Emirates	No	0	7	0
Finnair	No	0	3	0
Lufthansa	No	0	20	0
Swiss	No	0	8	0
KLM	No	0	15	0
Luxair	No	0	2	0
Norwegian	No	0	1	0
Qatar Airways	No	0	6	0
SAS	No	0	10	0
UPS	Abstain	0	0	7
TUI	Abstain	0	0	5
United Airlines	No	0	9	0
Iberia	No	0	90	0

Emerald Airlines	No	0	4	0
AirNav Ireland	Abstain	0	0	20
daa	Yes	40	0	0
Total		40	926	34
		4%	93%	3%