

## LOCAL RULE 2

### ADMINISTRATION OF THE BRISTOL AIRPORT AIR TRANSPORT MOVEMENT CAP

#### 1. POLICY

In accordance with Planning Condition 13 (see annex 1)<sup>1</sup>, the number of air transport movements at Bristol Airport shall be limited to 85,990 each calendar year.

#### 2. DEFINITIONS

In this document the following words shall have the following meanings:

ACL: Airport Coordination Ltd, the appointed independent Coordinator of Bristol Airport

Ad Hoc: a slot that does not form part of a series of slots as defined in Article 2(k) of the Slot Regulation, and is not eligible for historic precedence in subsequent seasons

ATM: an Air Transport Movement includes all take off and landings of commercial and non-commercial flights as described in Annex 1 but excludes movements related to an emergency, instruction from Air Traffic Control or any other circumstance beyond control of the airport operator.

BAL: Bristol Airport Ltd, the managing body of Bristol Airport

HBD: Historic Baseline Date, the reference date used for the application of the utilisation threshold (80/20 or other rate as stipulated in the Slot Regulation at the time of application). 31 January for the following Summer scheduling season and 31 August for following Winter scheduling season.

UK Slot Regulation: Airports Slot Allocation (Amendment) (EU Exit) Regulations 2021 of December 2021 amending Council Regulation (EEC) No 95/93 on common rules for the allocation of slots at United Kingdom airports as amended including by EU Regulation 2020/459 of 30 March 2020 and by Commission Delegated Regulation 2020/1477 of 14 October 2020

Year: the period between 1 January and 31 December inclusive each year

#### 3. SCHEDULING LIMITS

3.1 In accordance with Article 6 of the Slot Regulation, BAL is responsible for declaring limits on the number of ATMs that may be scheduled at the airport and complying

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<sup>1</sup> *Appeal Decision APP/D0121/W/20/3259234* (2 February 2022)  
<https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3259234>

with the reporting requirement of Condition 13. ACL is responsible for allocating slots to ATM services within these limits.

- 3.2 The **Planning Limit** is the maximum number of seasonal slots available for allocation to regularly scheduled services that are eligible for historic precedence in subsequent seasons. The Planning Limit is declared by BAL in advance of the initial coordination of each season and is regularly reviewed. The Planning Limit will take into account the number of historic slots and may include a 'utilisation factor' to take account of variations in traffic during the season and expected levels of actual slot utilisation.
- 3.3 The **Operational Budget** is an additional pool of ATMs above the Planning Limit that are available for allocation to Ad Hoc services. The Operational Budget is declared by BAL after the HBD, in advance of each season. It is regularly reviewed and adjusted based on the planned and actual number of ATMs in the Year in order to maximise the use of permitted ATMs and to prevent any overrun.
- 3.4 Since the ATM condition is applied over a calendar Year, the Operational Budget for the winter season is declared in two periods. The first period from the start of the winter season to 31 December, and the second period from 1 January to the end of the winter season.

#### 4. ALLOCATION PROCESS

- 4.1 Slots are allocated in accordance with the UK Slot Regulation. Slots allocated as part of a series are subject to availability within the seasonal Planning Limit. Ad Hoc slots are allocated within the Operational Budget.
- 4.2 ATMs will be allocated as follows:
  - a. Prior to each coordination cycle, individual airlines are advised of their historic slots and ATM entitlement, which can be used for the subsequent equivalent season. Historic ATMs will be calculated based on number of historic slots held in previous equivalent season on a 1-for-1 basis.
  - b. BAL will declare the ATM Planning Limit as part of the airport's seasonal Capacity Declaration.
  - c. At Initial Coordination, ACL will coordinate and allocate slots and ATMs in accordance with the UK Slot Regulation.
  - d. At HBD, ACL will advise airlines of the number of ATMs held in the Baseline. These ATMs will form the basis of historic entitlement in the next equivalent season, subject to them being operated as allocated and meeting the utilisation threshold for each series.
  - e. If a series of slots is cancelled, without justification under Article 10.4 of the Slot Regulation, then the airline's ATM allocation reduces accordingly, and likewise if additional series of slots are allocated within the Planning Limit then the airline's ATM allocation increases on a 1-for-1 basis.
  - f. After the HBD, BAL will declare the Operational Budget available for allocation to Ad Hoc services.
  - g. To ensure that the Operational Budget is fairly allocated during the Year, BAL may apportion the available ATMs on a weekly or monthly basis.
  - h. The Operational Budget will be allocated fairly between different types of Ad Hoc services (general and business aviation, helicopters, ad hoc flights by airlines, etc) and in accordance with the UK Slot Regulations.

## **5. OVERRUN PROVISION**

- 5.1. The Operational Budget will be reviewed regularly during the Year and may be increased or decreased based on actual and predicted use of ATMs against the Planning Condition limit in order to prevent an overrun.
- 5.2. If management of the Operational Budget appears insufficient and there is a risk of an overrun during the Year, the Coordination Committee shall hold Extraordinary General Meeting to agree appropriate measures to avert an overrun.
- 5.3. To prevent an overrun, airlines may be required to make proportionate flight cancellations to reduce the use of ATMs within limits.

## ANNEX 1 THE ATM CONDITION<sup>2</sup>

Condition 13) There shall be no more than 85,990 Air Transport Movements (ATMs) at Bristol Airport per annum which includes take- off and landing movements, from 1 January to 31 December each year. This shall include commercial and non-commercial flights.

The airport operator shall provide quarterly reports in writing to the Local Planning Authority, within 28 days of the last day of each quarterly period, to show that the quarterly and cumulative figures for each category comply with these limits and set out the steps it proposes to implement in order to prevent any exceedances of these limits in the next quarter. Once approved, those details shall be implemented and retained until superseded by any subsequently approved details.

For the purposes of this condition, the limit to ATMs shall not apply to aircraft taking off or landing in the airport because of an emergency, instruction from Air Traffic Control or any other circumstance beyond control of the airport operator.

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<sup>2</sup> *Appeal Decision APP/D0121/W/20/3259234* (2 February 2022)  
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## **THE BRISTOL ATM CAP FAQs**

**These FAQs are for general guidance only and do not form part of Local Rule**

### ***When does the ATM Cap take effect?***

The planning condition applies from the start of Northern Summer 24 (NS24) season.

### ***Is there scope to increase or remove the cap?***

The ATM Cap is a condition within the Town and Country Planning Act. To change or remove the cap would require a planning application. There are currently no plans to make such an application.

### ***How is the Annual Planning limit managed across seasons?***

Although the Planning Limit is an annual limit, BAL will declare the split between Summer and Winter as part of the Capacity Declaration.

### ***Is it possible to carry-forward unused ATMs and borrow from the next season or year?***

The ATM cap is applied over a year from 1 January to 31 December, so unused ATMs in a summer season can be carried forward to the next winter and any overuse in a summer can be deducted from the next winter but must be applied to operations prior to the 31 December so it counts in the year as defined by the Planning Condition.

Any unused ATMs on 31 December cannot be carried forward into the next year and will therefore be lost.

### ***What is done to prevent an overrun?***

If an overrun is anticipated, the Operational Budget may be suspended so no further ad hoc ATMs will be allocated slots until the airport is back on budget. If the airport remains at risk of an overrun, airlines will be asked to assist by cancelling ATM services on a voluntary basis. The coordinator may take account of these circumstances when applying the use-it-or-lose-it rule. The airport will seek alternative measures to reduce movements to comply with the planning condition if the voluntary solution is not effective.

### ***What happens if an overrun actually occurs?***

There is no option for an overrun to occur and BAL will need to act accordingly to prevent an overrun. The Planning Limit may be reduced to prevent another overrun, and any series of slots that fail to meet the use-it-or-lose-it rule, or are returned to the pool, would not be reallocated (as necessary to fit within the reduced seasonal Planning Limit).

### ***Why does the Planning Limit include an utilisation factor?***

The utilisation factor takes account of the variation in traffic during the season (eg, between the peak summer week and the shoulder seasons) and the net effect of ad hoc cancellations.

### ***Why is there a Planning Limit and an Operational Budget?***

The Planning Limit is designed to manage the seasonal scheduling process, ie, the number of regularly scheduled services eligible for historic precedence. Slots are allocated on a 1 for 1 basis against the seasonal ATM constraint

Since the Planning Limit includes an utilisation factor, the Operational Budget is needed to manage the short-term 'recycling' of ad hoc cancellations and to permit continuation of operations across all users whilst remaining within the 85,990 annual ATM limit.

### ***What if there are more ad hoc cancellations than expected?***

If the cancellation rate is higher than expected, eg, due bad weather, strikes, etc, ATMs may become available against the Operational Budget but not the Planning Limit. In this case, slots may be re-allocated on a non-historic basis.

***Can an airline convert a number of ad hoc cancellations in to series***

No, the ad hoc cancellation rate is already included in the utilisation factor applied to the Planning Limit. For example, after cancelling Christmas day from a 22-week winter series of slots, the airline is still eligible for a full 22-week series the next winter (subject to the 80% use-it-or-lose-it rule), so an ad hoc cancellation does not create availability for a new series of slots.

***Can an airline convert shoulder season cancellations into a new series of slots eligible for historic precedence?***

Yes, if shoulder season cancellations are made pre HBD which shortens the remaining series length then the level of reduction can be used to create a new series eligible for historic precedence.

***What if a carrier chooses to make fewer cancellations than the previous year?***

Some year-on-year variability in cancellation rates by individual operators is expected, and will tend to average out across the airport. However, significant changes in policy by major operators, such as their approach to flying over the Christmas or August holiday periods, should be notified to BAL and ACL as early as possible so that they can be considered when the Planning Limit is set.

***How are positioning flights managed?***

Passenger ad hocs and positioning flights that are part of a series, count towards the Planning limit. Positioning flights for operational reasons count against the Operational budget.