

Terms of Reference

Heathrow Slot Performance Committee

1. Objective

- 1.1.** To ensure the efficient use of airport capacity and improve operational performance by:
- promoting better adherence to allocated slots
 - combating slot misuse
 - reviewing night allocation to ensure it is used within the spirit of the restrictions
 - identifying problematic themes or trends affecting slot performance and operational performance of Heathrow Airport

2. Scope

- 2.1** The Slot Performance Committee (SPC) shall meet to address the following slot performance issues:
- repeatedly operating at a significantly different time than the allocated slot, either consistently or in an erratic way
 - repeatedly operating slots in a significantly different way than allocated and thereby prejudicing airport or air traffic operations
 - operating without the prior allocation of a slot, except in emergencies
 - repeatedly failing to cancel an allocated slot in advance that is not used
 - excessive or unauthorised use of night quota
 - fluctuations and trends in performance that have a significant impact on the overall performance of the airport and airport community
- 2.2** The SPC shall provide advice to:
- Airport Coordination Ltd. (ACL) on methods of monitoring the use of allocated slots and on the application of enforcement sanctions contained in means Council Regulation No 95/93 of 18 January 1993 on common rules for the allocation of slots at United Kingdom airports (Retained EU Legislation) as amended by the Airports Slot Allocation (Alleviation of Usage Requirements) (No.2) Regulations 2021
 - The advice of the SPC shall not be binding on ACL or HAL in carrying out their respective duties.
- 2.3** The SPC shall consider:
- LHR's punctuality and performance
 - Night quota seasonal and pro-rata use
 - Delay en-route and in stack
 - Feasibility issues for forthcoming season.

3. Structure

- 3.1** The SPC is a sub-committee of the Heathrow Coordination Committee (HCC). The Chair and Secretary of the SPC shall be appointed by HAL.
- 3.2** Membership of the SPC shall be made up of representatives of the following organisations:
- HAL
 - ACL
 - National Air Traffic Services (NATS)
 - Heathrow Airport Scheduling Committee (HASC)
 - Slot Performance Working group (SPCWG)
 - Airport Operators Committee (AOC).

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4. Meetings

- 4.1** The SPC shall meet regularly during the year at a frequency determined by the SPC but sufficient to ensure the timely review of any slot performance issues.
- 4.2** Quorum for a meeting of the SPC shall be at least one representative each from HAL, ACL and the HASC.
- 4.3** The SPC will hear on matters relating to slot performance from the following areas when appropriate:
- ACL
 - HAL
 - NATS
 - SPCWG
 - Runway Scheduling Limits (RSL)
 - Flight Operations Performance and Safety Committee (FLOPSC).
- 4.4** The SPC may invite operators to appear before it to discuss slot performance issues on its own initiative or at the request of ACL, HAL or the SPWG.
- 4.5** The SPC shall seek to reach a consensus view and shall not put any matters to a vote. Advice given in accordance with clause 2.2 shall be a fair summary of the feeling of the meeting and of the views of any members who dissent from the majority viewpoint.
- 4.6** To ensure no airline attendees are compromised with regard to anti-trust issues, each SPC meeting will start with a reminder of the following legal notice which will also be stated in the agenda for the SPC meeting:

“Only matters relating to slot performance may be discussed during Slot Performance Committee meetings. Carriers should not divulge any competitively sensitive information at such meetings. By way of non-exhaustive example carriers should not share information regarding pricing, costs, route schedules, route charges, aircraft capacity, use of particular aircraft type or a particular aircraft on a route, or any other information regarding the carrier’s commercial strategy. To the extent that a carrier facing a hearing needs to convey such information to the Slot Co-ordinator, the carrier should warn all attendees at the beginning of the hearing so that arrangements can be made for any carriers present to leave the meeting whilst such matters are discussed.”

5. Slot Improvement Action Plan

- 5.1** The SPC operates according to the following Slot Performance Improvement Action Plan:
- 5.2** ACL/HAL will notify the Slot Performance Working Group of any aircraft operator who appear to be regularly and/or intentionally misusing their allocated slot, exceeding their night slot quota allowance or operating without an approved slot.
- 5.3** If after consulting with the Slot Performance Working Group ACL's/HAL's findings are confirmed, the SPCWG will instruct ACL to write to the operator concerned seeking an explanation of the specific instances of apparent misuse.
- 5.4** Upon reply from the operator (in writing or in person) the Slot Performance Working group will analyse whether or not the stated explanations are fair and reasonable.

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- 5.5** Upon either non receipt or receipt of a reply with explanations that are not considered reasonable, HAL (in its capacity as Chair of the SPC) will write to the operator warning that the SPC considers the explanations unreasonable or in the event of non reply that failure to conform to allocated slots in the future could lead to injunctive relief being sought through the Mis-use of Slots Enforcement Code.
- 5.6** The Slot Performance Working Group may at this point invite a representative of the operator to attend a meeting of the SPWG to discuss the operator's performance.
- 5.7** ACL will continue to monitor the situation and will escalate the case to the SPC if slot misuse continues.
- 5.8** In situations of continued slot misuse HAL in consultation with ACL will write a final letter to the operator concerned informing them that action will be taken without further notice to the operator, unless, with effect from a certain date, the operator complies with terms of conditions of the airport and adheres to its allocated slot(s). This letter should also give the operator the opportunity to tender any further explanations for HAL's consideration.
- 5.9** Upon failure to conform HAL following consultation with ACL may seek injunctive relief or other remedy.