


OFFICER DECISION RECORD (ODR1)

This form records an officer decision and is published in accordance with the Openness of Local Government Bodies Regulations 2014

Date of Decision	01 December 2025		
Decision Taker (including Job Title)	Philip Cresswell Executive Director of Place		
Specific Delegation	This decision is delegated to the Executive Director Place as detailed within the Cheshire East Council Constitution dated July 2025; Chapter 2 Part 5 Responsibility for Functions – Officer Delegations		
Type of Decision to be taken (tick as appropriate)	Granting a permission or licence		
	Affecting the rights of an individual	✓	
	Awarding a contract or incurring expenditure which, materially affects the Council's financial position		
Brief Description of Decision	That approval is given for the making of an order to revoke the Air Quality Management Area designated by the Air Quality Management Area (Market Street, Disley) Order 2010, in relation to a breach of the nitrogen dioxide (annual mean) objective as specified in the Air Quality (England) Regulations 2000 (as amended).		
Reasons for the Decision and alternatives considered	<p>By order, known as the Cheshire East Borough Council Air Quality Management Area (Market Street, Disley) Order 2010 dated 1st April 2010, the Council, designated an area of land (showed edged in red on the plan at Figure 1 below) incorporating properties along a stretch of the A6 Market Street, Disley as an Air Quality Management Area. The Area was designated in relation to a breach of the nitrogen dioxide annual mean objective as specified in the Air Quality (England) Regulations 2000 (as amended).</p> <p>The data as presented in Table 1 (below) demonstrates that NO₂ levels over the past five years have been below the air quality objective of 40 µg/m³ (as an annual mean) at the properties within the AQMA boundary.</p> <p>Section 83(2)(b) of the Environment Act 1995 (as amended by the Environment Act 2021) provides that a local authority may revoke an Air Quality Management Area by such an order, if it appears on subsequent air quality review that the air quality</p>		

	<p>standards and objectives are being achieved, and are likely throughout the relevant period to be achieved, within the designated area.</p> <p>In line with our procedure and Defra Policy Guidance PG(22) Cheshire East Council will seek to revoke an AQMA when there has been at least three consecutive years of monitoring results below the relevant air quality objective. This conclusion is supported by Defra who made the following comment in their appraisal of the 2025 Annual Status Report: <i>“The revocation of an AQMA should be considered following three consecutive years of compliance with the relevant objective as evidenced through monitoring. Where there have been no exceedances for the past five years, local authorities must proceed with plans to revoke the AQMA. The LAQM Technical Guidance 2022 is clear in this respect (Point 3.57, page 50)”.</i></p> <p>The Executive Director Place is therefore requested to revoke the area of land shown edged red in the attached plan as an Air Quality Management Area within the meaning of Section 83(2)(b), Part IV of the 1995 Act (as amended by the Environment Act 2021).</p> <p>The Council considered keeping the AQMA in place. However, this would not be appropriate because monitoring shows that air quality has improved and meets legal standards.</p> <p>Revoking the AQMA is the recommended option, in line with national policy and guidance. As well as the real time analyser on Market Street, a reduced number of monitoring points will remain to allow the Regulatory Services and Health Service to continue to monitor the levels within the former Air Quality Management Area to ensure no additional breaches occur in the future.</p>
Member consultation and interests declared	Ward Member Sue Adams emailed directly as well as Disley Parish Council.
Significant Decision	NO
Legal Implications	I am satisfied that the decision to revoke the Order but continue with fewer monitoring points to continue to monitor levels to ensure no further breaches occur in the future, is supportable based on the information provided.

	Louise Price – Principal Lawyer – Litigation, Employment and Regulatory 27 th November 2025
Financial Implications	I am satisfied that the recommended option is supportable. The costs associated with this are staff time which are already covered within the Regulatory Services budgets. Wendy Broadhurst, Lead Finance Partner 24/11/25
Confidential/Exempt Information	None
Background Papers	A6 Market Street, Disley AQMA Detailed Assessment 2025 AQMA Engagement Survey October 2025

Signed 

Helen Charlesworth-May, ED Adults Health and Integration and acting CEX on behalf of Phil Cresswell, Executive Director of Place

Dated 01 December 2025

Figure 1 – Market Street, Disley AQMA

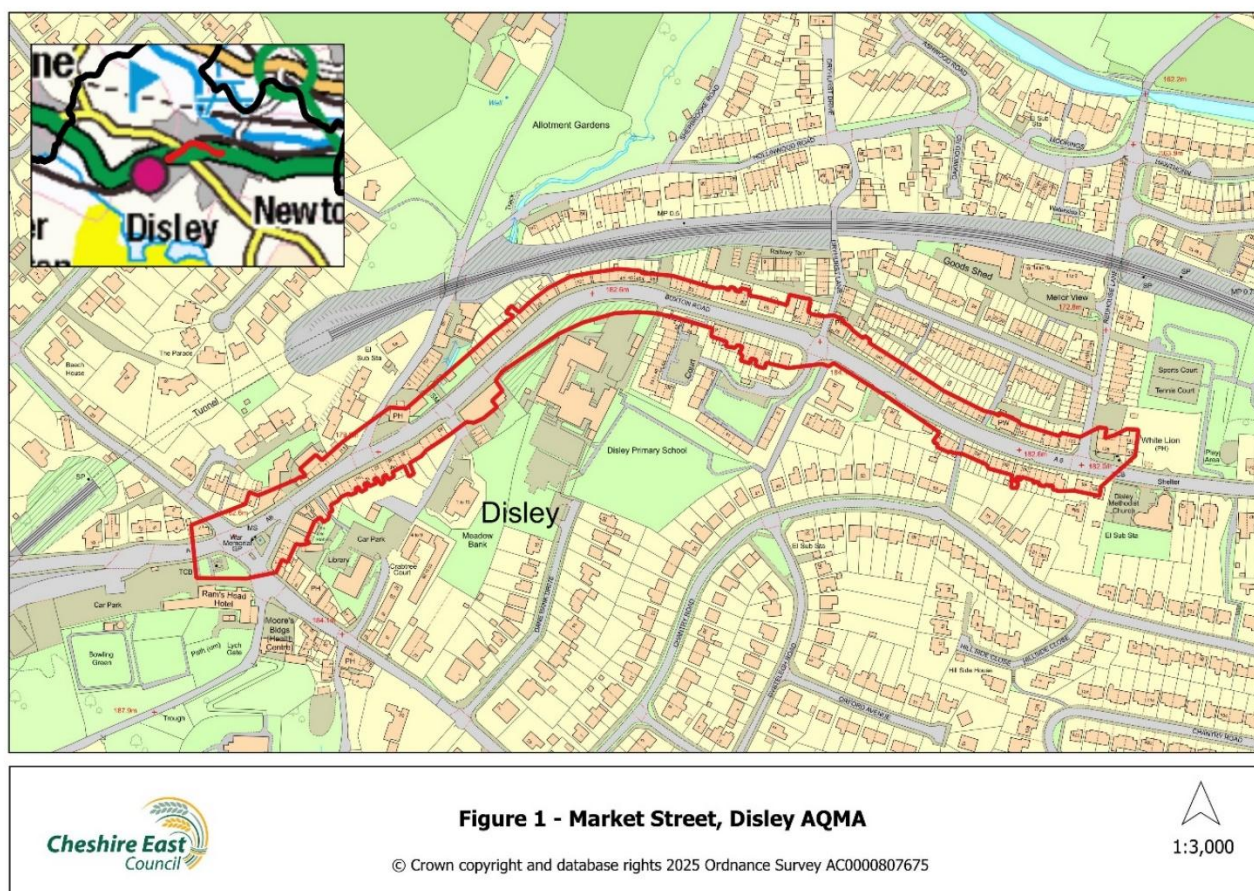


Table 1 Annual Mean Nitrogen Dioxide levels - Market Street, Disley

Site ID	Site Name	In AQMA?	2020 ($\mu\text{g}/\text{m}^3$) (0.81 Bias Factor)	2021 ($\mu\text{g}/\text{m}^3$) (0.84 Bias Factor)	2022 ($\mu\text{g}/\text{m}^3$) (0.85 Bias Factor)	2023 ($\mu\text{g}/\text{m}^3$) (0.81 Bias Factor)	2024 ($\mu\text{g}/\text{m}^3$) (0.84 Bias Factor)
CE16	31 The Crescent	Y	31.2	33.1	32.7	29.3	28.2
CE19	58 Buxton Road	Y	27.5	30.2	30.0	27.2	26.1
CE82	78 Buxton Road	N	14.4	16.2	14.4	12.5	15.0
CE277	9 Market Street	Y	34.7	38.1	35.4	35.2	34.3
CE309	6 Buxton Road	Y	18.3	20.1	19.3	16.5	16.8
CE314	Disley RTA a	Y	30.9	34.6	34.3	26.4	26.4
CE315	Disley RTA b	Y	31.6	35.5	34.6	26.2	26.5
CE316	Disley RTA c	Y	30.5	35.0	33.4	25.8	25.5
RTA	Real Time Analyser	Y	25.0	27.0	25.0	26.2	23.9