

Clean Air Exemption Local Register

Background

- A. You have applied to register your vehicle as a locally compliant or non-chargeable vehicle in the local register as qualifying for an exemption from the Bradford CAZ and You have supplied all supporting information required by the Council.
- B. You acknowledge and accept that by applying to register the vehicle You will be subject at all times to the terms and conditions set out below, to all regulations governing the Bradford CAZ and to any Charging Order (CSO) that may be enacted by the Council under its powers relating to the implementation of the Bradford CAZ.
- C. Applications, and any subsequent award of exemptions, are conditional on the final wording of the CSO, which may be subject to amendment following consultation.
- D. All terms used in this document shall have the meaning set out in these terms, or in the relevant Bradford CAZ documentation, as applicable.

Terms and Conditions

- 1. Only the exempt vehicle will be entered on the local register, and only whilst You are the registered keeper of the exempt vehicle.
- 2. The exempt status does not automatically transfer with the vehicle.
- 3. The exempt status cannot be transferred to another vehicle.
- 4. The exempt vehicle will be identified on the local register by its vehicle registration number provided by You. You must notify the Council as soon as possible and in any event within 10 working days in the event that:
 - a. The ownership of the exempt vehicle is transferred or there is a change of registered keeper or owner;
 - b. The vehicle registration number ceases to be used for the exempt vehicle (for example, because it is transferred to another vehicle or retained on the transfer on the exempt vehicle);
 - c. The address at which the exempt vehicle is registered or kept is changed;
 - d. The exempt vehicle is broken up, destroyed or exported permanently out of the country; or
 - e. The use of the exempt vehicle changes, or there is any other change in circumstances which means that the exempt vehicle is no longer eligible for the relevant exemption.
- 5. Upon any of the circumstances in paragraph 4 being notified to the Council, it shall be entitled at its sole discretion to remove the exempt vehicle from the local register, in which case the exemption will cease to apply to the vehicle and will not be reinstated.
- 6. The Council reserves the right at any time to carry out vehicle checks via ANPR and the DVLA, and other checks it deems necessary, in order to confirm that vehicles entered on the local register continue to qualify for exemptions.
- 7. Where the Council identifies, following checks under paragraph 6, that a vehicle does not qualify for an exemption it will notify You of this. You will be asked to provide within 10 working days, or any other period as may be agreed by the Council, evidence to demonstrate that the vehicle is exempt. The Council will consider any evidence that is submitted and will, at its sole discretion, make a determination as to whether the exempt vehicle will be removed from the

local register. If the vehicle is removed, You will be charged for all vehicle journeys that have been made since the vehicle ceased to qualify for an exemption.

8. The Council may at any time remove a vehicle from the local register if in its opinion, acting reasonably:
 - a. Any evidence or information comes to light which, if known at the time of application, would have meant that the vehicle did not qualify for an exemption;
 - b. Any information provided to the Council by You, in the application to register the vehicle, in any supporting documentation supplied, or at any other time is found to be incorrect, incomplete or misleading;
 - c. Any other circumstances or events occur which render You unsuitable to register the vehicle on the local register; or
 - d. You commit or committed a prohibited act.
9. Where You fail to notify the Council in accordance with paragraph 4, or any of the circumstances in paragraph 8 arise, the Council reserves the right to recover from You charges for all journeys made by the vehicle since the implementation of the CAZ and all costs it incurs in establishing the exemption status of the vehicle.
10. Unless a vehicle is removed under these terms and conditions, it will remain on the local register for the period specified for the relevant exemption for which the vehicle qualifies.
11. You acknowledge that the Council is subject to the requirements of the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 and as such may be required to disclose information relating to the Bradford CAZ and its operation. The Council will adhere at all times to UK Data Protection Legislation and the Bradford CAZ Privacy Notice in complying with its obligations under this legislation.
12. The Council may change these terms and conditions at any time. You will be notified in advance of any significant changes.
13. If the Council waives any rights available to it under these terms and conditions on one occasion, this does not mean that those rights will automatically be waived on any other occasion.
14. These terms and conditions, the information You have provided and all relevant information on the Council's Bradford CAZ website make up the agreement between You and the Council in relation to the exempt vehicle. You agreed to these terms and conditions by clicking the 'I accept' button when you applied to register an exempt vehicle.
15. The Bradford CAZ and this agreement are governed by the law of England and Wales and are subject to the jurisdiction of the courts in England.
16. The rights and responsibilities under these terms and conditions are for the benefit of You and the Council only and are not intended to benefit anyone else or be enforceable by anyone else. No person other than You or the Council shall have rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any of these terms and conditions.

Definitions Used in these Terms and Conditions

Bradford CAZ

means the Clean Air Zone in Bradford

Council

means City of Bradford Metropolitan District Council

exemption

means an exemption to the requirements of the Bradford CAZ which means that a vehicle is considered locally complaint or non-chargeable

exempt vehicle

means the vehicle You have applied to register and which the Council agrees qualifies for an exemption

prohibited act

means:

- (a) to directly or indirectly offer, promise or give any person working for or engaged by the Council a financial advantage to:
 - (i) induce that person to perform improperly a relevant function or activity; or
 - (ii) reward that person for improper performance of a relevant function or activity;
- (b) to directly or indirectly request, agree to receive or accept any financial or other advantage as an inducement or a reward for improper performance of a relevant function or activity
- (c) committing any offence:
 - (i) under the Bribery Act 2010
 - (ii) under legislation creating offences concerning fraudulent acts; or
 - (iii) at common law concerning fraudulent acts;
- (d) defrauding, attempting to defraud or conspiring to defraud the Council.

UK Data Protection Legislation

means all applicable data protection and privacy legislation in force from time to time in the UK including the retained EU law version of the General Data Protection Regulation ((EU) 2016/679) (UK GDPR); the Data Protection Act 2018 (DPA 2018) (and regulations made thereunder) and the Privacy and Electronic Communications Regulations 2003 (SI 2003/2426) as amended.

You

means the registered keeper applying to register a vehicle on the local register