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Newcastle City Clean Air Zone Vehicle Grants

Terms and Conditions

IDENTIFICATION TABLE	
Client/Project owner	Newcastle and Gateshead Council
Project	Newcastle Clean Air Zone
Study	CAZ Grants Terms & Conditions
Type of document	Information

APPROVAL					
Version	Name		Position	Date	Modifications
1	Author	JMC	Consultant	15/11/22	
	Approved by	PH	Assistant Director	17/11/22	
2	Author	DR	Consultant	14/12/22	Update private sale of vehicles & retrospective
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3	Author	DR	Consultant	23/03/23	Update private purchase and clarifications
	Approved by	PH	Assistant Director		
4	Author	AR	Grant Processing Manager	21/2/24	Update to LGV eligibility criteria & retrospective
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1. General

1.1.1 These Terms and Conditions accompany the declaration agreed to within the application form. The Applicants agree to the comply with these terms and conditions by submitting a grant application online.

1.2 Excluding the rights of anyone else

1.2.1 The Clean Air Zone (CAZ) Grants application and the rights and responsibilities under this document are for the benefit of the Applicant and Newcastle City Council (The Council) only and are not intended to benefit or be enforceable by anyone else. Both parties (The Council and the Applicant) can enforce the rights set out in this document without permission. No person other than the Applicant, The Council or those operating on behalf of The Council shall have rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any of the conditions for eligibility.

1.3 Changes

1.3.1 The terms and conditions may be susceptible to change; however, the Applicant will be made aware of any changes beforehand. The Applicant will not be contacted regarding other changes to the guidance that are not deemed significant.

1.4 Confidentiality

1.4.1 Both parties (the Applicant and The Council) agree that personal contact and vehicle information may be passed on to a Finance Provider who will administer the grants scheme on behalf of The Council.

1.5 Applicants' responsibilities

1.5.1 The Applicant is responsible for:

- Providing the correct and accurate information requested, for each individual vehicle, to assess eligibility for a CAZ grant and notifying The Council of any changes to that information.
- Reading and acting on all emails, letters, text, and mobile app messages sent to them regarding their CAZ grant.
- Making sure that they set their mailbox settings for emails, including spam filters, so that they can receive emails in relation to the CAZ.
- Making sure that they register the correct contact details and they inform the authorities promptly if those contact details change.
- Ensuring they have read and acted upon any messages sent to them. The Council are not responsible if they fail to do so.
- Any changes to information which occur before the grant is paid, must be notified to the Council immediately.

- 1.5.2 The Applicant agrees to receive communications related to this agreement electronically.
- 1.5.3 The Applicant agrees not to send any material that is illegal, offensive, abusive, defamatory, menacing, or which would breach copyright, trademark, confidence, privacy or any other right. This also includes material which may contain software viruses, political campaigning, advertising for business, chain letters, mass mailings or 'spam'.
- 1.5.4 English will be the language for all communications between The Council and the Applicant.
- 1.5.5 The Applicant acknowledges that they cannot transfer their CAZ grant to any vehicle other than the vehicle details used in their application document.
- 1.5.6 If the Applicant is a charity, it must have been registered as such at least 12 months prior to the date of the application and have filed accounts.
- 1.5.7 Where the Applicant is an individual making the application on behalf of an Applicant that is a company or incorporated entity, they undertake and represent that they have the authority to make this application on behalf of the Company.
- 1.5.8 The Applicant agrees that any grants claimed fraudulently, awarded in error, or awarded based on incorrect information because You have failed to notify us of a change of circumstances, may be liable to be recovered. More information about when grants must be returned, is within the Grant Agreement.
- 1.5.9 The Applicant (You) accepts that taking payment of the grant is considered as confirmation of acceptance of the terms and conditions and You agree to return any amounts paid as a result of fraud or error.

2. Checking information

- 2.1.1 At any time after receiving your application for a CAZ grant (including after notification that your application is accepted) proof of eligibility may be requested for the grant and/or any other information about your vehicle.
- 2.1.2 The Applicant will receive an email requesting information which must be provided by the date stated in that email.
- 2.1.3 If, as a result of checks of the information provided by the Applicant, we decide that your registered vehicle is not or has ceased to be eligible, then your application will be rejected.
- 2.1.4 On receipt of a letter of eligibility, the non-compliant vehicle will be automatically exempt from the CAZ charges for a period of 90-days. If the Applicant has not secured a replacement or upgraded vehicle during those 90 days, no further exemptions will be applicable.
- 2.1.5 Should the Applicant order a vehicle and evidence is provided they are awaiting delivery, an exemption may be applied for until the delivery date, at which point the exemption will cease to apply to your non-compliant vehicle.

3. Data protection

- 3.1.1 In line with our Data Protection and Confidentiality policy, we will only request information that is required in order to process your grant application. Any personal data processing is done so in compliance with the UK GDPR and Data Protection Act 2018.
- 3.1.2 The information the Applicant provides will be stored for a period of up to 5 years and then deleted.
- 3.1.3 For more information on how we will process your data please visit the Privacy Notice page on our website - <https://www.breathe-cleanair.com/>

4. Vehicle Class Eligibility Criteria

- 4.1.1 Eligibility consists of 3 parts:
 - The existing vehicle is not compliant with the CAZ and does not benefit from a permanent exemption so would be subject to a charge to drive in the zone.
 - The replacement or upgraded vehicle must be compliant with the CAZ and so would not be subject to a charge to drive in the zone.
 - You must meet a set of additional criteria in respect of their location.
 - As part of this application, evidence will be required that can be checked against DVLA and The Councils' current data sources.
 - All Applicants for a clean air zone grant will need to meet the criteria listed in the following paragraphs before eligibility for the grant is confirmed. It is therefore extremely important that the correct and relevant information is submitted within the application.
- 4.1.2 The following 5 vehicle classes may be eligible for a grant if they currently do not comply with emission standards, and the relevant eligibility criteria for each class of vehicle is set out below. In each case a grant may be used to purchase a replacement vehicle that meets the emissions standards required of a compliant vehicle within the meaning of the Newcastle and Gateshead Clean Air Zone Charging Order 2023 (the Order).

5. HACKNEY CARRIAGE/ PRIVATE HIRE VEHICLES

5.1 Eligibility Criteria

5.1.1 Non-compliant Hackney Carriage or Private Hire vehicles may be eligible for a grant subject to meeting the following criteria:

- The vehicle is a taxi or private hire vehicle within the meaning of the Order
- The vehicle does not meet the emissions standards required of compliant vehicles under the Order (Euro 6 diesel or Euro 4 petrol standard, electric or alternative fuel). This can be checked by entering the vehicle number plate at the following site:- https://vehiclecheck.drive-clean-air-zone.service.gov.uk/vehicle_checkers/enter_details
- The Applicant must be the registered keeper of the non-compliant vehicle prior to 18 July 2022.
- The non-compliant vehicle must have a valid MOT and be taxed.
- The replacement or upgraded vehicle must meet the emissions standards required by the Order, e.g. Euro 6 diesel or Euro 4 petrol compliance. This can be a new or used vehicle and can include hybrid, alternative fuel, or electric vehicles where applicable.
- If the vehicle is leased, satisfactory evidence of an agreement of the lease with the lessor is provided.
- The vehicle has not previously benefitted from and does not currently benefit from financial support to upgrade to a compliant vehicle (either by purchase of a replacement vehicle or by retrofit to upgrade to compliant standards) related to this or any other CAZ or received any other form of Government clean air funding.
- If the Applicant is a company
 - It was incorporated prior to 18 July 2022 and has filed accounts with no adverse records.
 - You must provide the company number at Companies House and use records to confirm it is an active company with up to date filing history and not showing adverse activity such as administration or striking off notices.
- The vehicle must have been licensed prior to 18 July 2022 and remain licenced continuously for the purposes of hackney carriage/ private hire services with either Newcastle City Council, Gateshead Council or North Tyneside Council.
- The Applicant must also be the licenced proprietor.
- The replacement vehicle must remain registered to the Applicant as a Hackney Carriage or Private Hire Vehicle for a minimum of 24 months from the replacement date. The Council will periodically check the DVLA database to ensure compliance. Repayment of the grant will be sought if this condition is not met. Should a vehicle be removed from the DVLA register (e.g., after accident damage) the owner must advise The Council, providing supporting information and contact details, as soon as possible.

5.1.2 Applications are invited from owners of non-compliant Hackney or Private Hire Vehicles in Newcastle, Gateshead, and North Tyneside. Should funding be available The Council will consider opening the scheme to vehicle owners in the following local authority areas at a later date:

- South Tyneside Council
- Sunderland City Council
- Northumberland County Council
- Durham County Council

5.2 Private Sale of Non-Compliant Vehicle

5.2.1 Where The Applicant intends to sell the non-compliant vehicle privately, the following points must be adhered to, to be eligible for funding.

- The sale of the non-compliant vehicle must be made to an unconnected third party.
- All proceeds from the sale of the non-compliant vehicle must be used towards the purchase of the compliant vehicle.
- Sales must not be made in cash.
- Evidence of transfer of funds from the buyer to the Applicant must be provided e.g., Bank Statement
- An invoice must be produced, signed by the buyer of the non-compliant vehicle, and will have details of:
 - Sale Amount
 - Date of transaction
 - Registration & VIN number,
 - Make and model of vehicle.
 - Milage of the non-compliant vehicle
 - Full name and address of both parties

5.3 Private Purchase of Compliant Vehicle

5.3.1 Where the Applicant intends to buy the compliant vehicle privately, the following points must be adhered to, to be eligible for funding.

5.3.2 The compliant vehicle must:

- Be a like for like replacement with the non-compliant vehicle
- Be registered in the UK
- Be purchased from an unconnected third party
- Be purchased from a source with a UK bank account
- Not be bought in cash

5.3.3 The Applicant must provide an invoice for the purchase of the compliant vehicle that will contain:

- Purchase Price

- The funds from the non-compliant vehicle used against the purchase
- Registration number
- Make and model of compliant vehicle
- Details of the source of the compliant vehicle
- Full name and address of both parties
- Date transaction occurred.

5.3.4 The sale of the non-compliant vehicle and the purchase of the compliant vehicle must be simultaneous transactions. For the purposes of the scheme simultaneous will be the purchase of a compliant vehicle within 4 weeks of the sale of the non-compliant vehicle.

6. LIGHT GOODS VEHICLES & COMMUNITY TRANSPORT VEHICLES

6.1 Eligibility Criteria

- 6.1.1 Non-compliant Light Goods vehicles may be eligible for grant funding subject to meeting the following criteria
- The vehicle is a Class N1 vehicle (i.e., a light goods vehicle) or a community transport vehicle within the meaning of the Order
 - The vehicle does not meet the emissions standards required of compliant vehicles under the Order (Euro 6 diesel or Euro 4 petrol standard, electric or alternative fuel). This can be checked by entering the vehicle number plate at the following site: - https://vehiclecheck.drive-clean-air-zone.service.gov.uk/vehicle_checkers/enter_details
 - The non-compliant vehicle was owned by the Applicant prior to 18th July 2022.
 - The non-compliant vehicle must have a valid MOT and be taxed.
 - The replacement vehicle must meet the emissions standards required by the Order, e.g., Euro 6 diesel or Euro 4 petrol compliance. This can be a new or used vehicle and can include hybrid, alternative fuel, or electric vehicles where applicable.
 - If the vehicle is leased, satisfactory evidence of an agreement of the lease with the lessor is provided.
 - The vehicle has not previously benefitted from and does not currently benefit from financial support to upgrade to a compliant vehicle (either by purchase of a replacement vehicle or by retrofit to upgrade to compliant standards) related to this or any other CAZ or received any other form of Government clean air funding.
 - If the Applicant is a business
 - It has been incorporated prior to 18 July 2022 and has filed accounts with no adverse records.
 - The Applicant must provide the company number at Companies House and use records to confirm it is an active company with up to date filing history and not showing adverse activity such as administration or striking off notices.
 - The replacement vehicle must remain registered to the You for a minimum of 24 months from the replacement date. The Council will periodically check the DVLA database to ensure compliance. Repayment of the grant will be sought if this condition is not complied with. Should a vehicle be removed from the DVLA register (e.g., after accident damage). The owner should advise The Council, providing supporting information and contact details, as soon as possible.
- 6.1.2 Where appropriate evidence must be provided that the Applicant, in respect of a minibus, are in possession of a community Transport Vehicle permit issued from

the traffic commissioners in line with requirement for carrying passengers. This includes a Section 19 or 22 Permit
see <https://www.gov.uk/government/publications/section-19-and-22-permits-not-for-profit-passenger-transport/section-19-and-22-permits-not-for-profit-passenger-transport>

6.1.3 For Applicants located within Newcastle upon Tyne, Gateshead, or North Tyneside Local Authority Areas

- The vehicle will be registered with the DVLA at an address located within Newcastle upon Tyne, Gateshead or North Tyneside Council Local Authority areas listed in the council tax or business rates checker. Postcodes can be verified at [Contact your council about business rates bill - GOV.UK \(www.gov.uk\)](https://www.gov.uk/contact-your-council-about-business-rates-bill) or [Check your Council Tax band - GOV.UK \(www.gov.uk\)](https://www.gov.uk/check-your-council-tax-band)
- You will have provided sufficient evidence that You are a resident, or Your business is located within, Newcastle upon Tyne, Gateshead, or North Tyneside Local Authority areas.

6.1.4 Other Applicants conducting regular business inside the clean air zone

- The vehicle will be registered with the DVLA to an address as defined by the scheme as an eligible post code in Newcastle upon Tyne, North Tyneside, Gateshead, South Tyneside, Sunderland, Northumberland, or Durham County Council Local Authority areas.
- You have provided sufficient evidence of conducting business within the Clean Air Zone a minimum of 2 days per week, every week, over the past 3 months. Examples of this could be, but not limited to, contracts, orders, telematics data, delivery notes, receipts, or rental / mortgage agreement for base location within the Clean Air Zone. The Council will consider other proof which You wish to submit as evidence of entry to the CAZ.

6.1.5 If Your vehicle is registered to You and You are a resident within Newcastle upon Tyne, Gateshead, or North Tyneside Local Authority Areas You must provide:

- Your driving Licence registered at your address within Newcastle upon Tyne, Gateshead, or North Tyneside Local Authority area.
- Current vehicle insurance registered at Your address within Newcastle upon Tyne, Gateshead, or North Tyneside Local Authority area. This includes the Policy Schedule and Certificate of Insurance.
- V5c document registered at your address within Newcastle upon Tyne, Gateshead, or North Tyneside Local Authority area.

6.1.6 If Your business is located within Newcastle upon Tyne, Gateshead, or North Tyneside Local Authority Areas, and your vehicle is registered to that address, the following must be provided:

- Current vehicle insurance registered at the business address within Newcastle upon Tyne, Gateshead, or North Tyneside Local Authority area. This includes the Policy Schedule and Certificate of Insurance.
- V5c document registered at your business address within Newcastle upon Tyne, Gateshead, or North Tyneside Local Authority area.

- A full copy of a signed and dated lease/ rental agreement for the address within Newcastle upon Tyne, Gateshead, or North Tyneside.
- Copies of Utility bills for the business premises located within Newcastle upon Tyne, Gateshead, or North Tyneside Local Authority Area.

6.2 Private Sale of Non-Compliant Vehicle

6.2.1 Where the Applicant intends to sell the non-compliant vehicle privately, they must adhere to the following principles to be eligible for funding:

- The sale of the non-compliant vehicle must be made to an unconnected third party.
- All proceeds from the sale of the non-compliant vehicle must be used towards the purchase of the compliant vehicle.
- Sales must not be made in cash.
- Evidence of transfer of funds from the buyer to the You must be provided.
- An invoice must be produced, signed by the buyer of the non-compliant vehicle, and will have details of:
 - Sale Amount
 - Date of transaction
 - Registration & VIN number,
 - Make and model of vehicle.
 - Milage of the non-compliant vehicle
 - Full name and address of both parties

6.3 Private Purchase of Compliant Vehicle

6.3.1 Where the Applicant intends to buy the compliant vehicle privately, they must adhere to the points below to be eligible for funding.

6.3.2 The compliant vehicle must:

- Be a like for like replacement with the non-compliant vehicle.
- Be registered in the UK.
- Be purchased from an unconnected third party.
- Be purchased from a source with a UK bank account.
- Not be bought in cash.

6.3.3 The Applicant must be able to provide an invoice for the purchase of the compliant vehicle that will contain:

- Purchase Price
- The funds from the non-compliant vehicle used against the purchase
- Registration number
- Make and model of compliant vehicle
- Details of the source of the compliant vehicle
- Full name and address of both parties
- Date transaction occurred.

6.3.4 The sale of the non-compliant vehicle and the purchase of the compliant vehicle must be simultaneous transactions. For the purposes of the scheme simultaneous will be

the purchase of a compliant vehicle within 4 weeks of the sale of the non-compliant vehicle.

6.3.5 You may only access funding in respect of a maximum of 3 LGVs. This includes Applicants' who have successfully received grant funding in phase 1 for three or more vehicles', and therefore, would not be eligible for further funding.

7. HEAVY GOODS VEHICLES

7.1 Eligibility Criteria

- 7.1.1 Non-Compliant Heavy Goods vehicles may be eligible for grant funding subject to meeting the following criteria
- The vehicle is a Class N2 or Class N3 vehicle (i.e., a heavy goods vehicle) within the meaning of the Order.
 - The vehicle does not meet the emissions standards required of compliant vehicles under the Order (Euro 6 diesel standard, Euro 4 petrol, electric or alternative fuel). This can be checked by entering the vehicle number plate at the following site: - https://vehiclecheck.drive-clean-air-zone.service.gov.uk/vehicle_checkers/enter_details
 - The vehicle was owned by the Applicant prior to 18th July 2022.
 - The non-compliant vehicle must have a valid MOT and be taxed.
 - The vehicle is registered with the DVLA to an address as defined by the scheme as an eligible post code in Newcastle upon Tyne, North Tyneside, Gateshead, South Tyneside, Sunderland, Northumberland, or Durham County Council Local Authority areas.
 - The Applicant has provided sufficient evidence they are conducting business within the Clean Air Zone a minimum of 2 days per week, every week, over the past 3 months. Examples of this could be, but not limited to, contracts, orders, or telematics data, delivery notes, receipts, rental / mortgage agreement for base location within the Clean Air Zone. The Council will consider other proof which the Applicant wishes to submit as evidence of entry to the CAZ.
 - The Applicant must be the registered keeper of the non-compliant vehicle.
 - The replacement vehicle must meet the emissions standards required by the Order, e.g., Euro 6 diesel compliance. This can be a new or used vehicle and can include hybrid, alternative fuel, or electric vehicles where applicable.
 - You have a valid heavy goods vehicle operator's license based in Newcastle upon Tyne, North Tyneside, Gateshead, South Tyneside, Sunderland, Northumberland, or Durham County Council area. Postcodes can be verified at [Contact your council about business rates bill - GOV.UK \(www.gov.uk\)](#) or [Check your Council Tax band - GOV.UK \(www.gov.uk\)](#)
 - If the vehicle is leased, satisfactory evidence of an agreement of the lease with the lessor is provided.
 - The vehicle has not previously benefitted from and does not currently benefit from financial support to upgrade to a compliant vehicle (either by purchase of a replacement vehicle or by retrofit to upgrade to compliant standards) related to this or any other CAZ, or received any other form of Government clean air funding.
 - If the Applicant is a company:
 - It has been incorporated prior to 18 July 2022 and have filed accounts with no adverse records.

- You must provide the company number at Companies House and use records to confirm it is an active company with up to date filing history and not showing adverse activity such as administration or striking off notices
- The replacement vehicle must remain registered to You for a minimum of 24 months from the replacement date. The Council will periodically check the DVLA database to ensure compliance. Repayment of the grant will be sought if this condition is not complied with. Should a vehicle be removed from the DVLA register (e.g., after accident damage). The owner should advise The Council, providing supporting information and contact details, as soon as possible.

7.2 Private Sale of Non-Compliant Vehicle

7.2.1 Where the Applicant intends to sell the non-compliant vehicle privately, they must adhere to the following principles to be eligible for funding:

- The sale of the non-compliant vehicle must be made to an unconnected third party.
- All proceeds from the sale of the non-compliant vehicle must be used towards the purchase of the compliant vehicle.
- Sales must not be made in cash
- Evidence of transfer of funds from the buyer to the Applicant must be provided

7.2.2 An invoice must be produced, signed by the buyer of the non-compliant vehicle, and will have details of

- Sale Amount
- Date of transaction
- Registration & VIN number,
- Make and model of vehicle.
- Milage of the non-compliant vehicle
- Full name and address of both parties

7.3 Private Purchase of Compliant Vehicle

7.3.1 Where the Applicant intends to buy the compliant vehicle privately, the following principles must be adhered to, to be eligible for funding.

7.3.2 The compliant vehicle must:

- Be a like for like replacement with the non-compliant vehicle.
- Be registered in the UK.
- Be purchased from an unconnected third party.
- Be purchased from a source with a UK bank account.
- Not be bought in cash.

7.3.3 The Applicant must be able to provide an invoice for the purchase of the compliant vehicle that will contain:

- Purchase Price
- The funds from the non-compliant vehicle used against the purchase
- Registration number
- Make and model of compliant vehicle
- Details of the source of the compliant vehicle
- Full name and address of both parties
- Date transaction occurred.

7.4 The sale of the non-compliant vehicle and the purchase of the compliant vehicle must be simultaneous transactions. For the purposes of the scheme simultaneous will be the purchase of a compliant vehicle within 4 weeks of the sale of the non-compliant vehicle.

8. BUSES & COACHES

8.1 Eligibility Criteria

8.1.1 Non-Compliant Buses and Coaches may be eligible for grant funding subject to meeting the following criteria:

- The vehicle is a Class [M2 or] Class M3 vehicle (i.e., a bus or coach) within the meaning of the Order
- The vehicle does not meet the emissions standards required of compliant vehicles under the Order (Euro 6 diesel standard or Euro 4 petrol standard, electric or alternative fuel). This can be checked by entering the vehicle number plate at the following site:- https://vehiclecheck.drive-clean-air-zone.service.gov.uk/vehicle_checkers/enter_details
- The vehicle was owned by the Applicant prior to 18th July 2022.
- The non-compliant vehicle must have a valid MOT and be taxed.
- The vehicle is registered with the DVLA to an address as defined by the scheme as an eligible post code in Newcastle upon Tyne, North Tyneside, Gateshead, South Tyneside, Sunderland, Northumberland, or Durham County Council area. Postcodes can be verified at [Contact your council about business rates bill - GOV.UK \(www.gov.uk\)](https://www.gov.uk/contact-your-council-about-business-rates-bill) or [Check your Council Tax band - GOV.UK \(www.gov.uk\)](https://www.gov.uk/check-your-council-tax-band)
- The Applicant has provided sufficient evidence of conducting business inside the Clean Air Zone a minimum of 2 days per week, every week, for the past 3 months. Examples of this could be, but not limited to, contracts, orders, or telematics data, receipts, rental / mortgage agreement for base location within the Clean Air Zone. The Council will consider other proof which the Applicant wishes to submit as evidence of entry to the CAZ.
- The Applicant must be the registered keeper of the non-compliant vehicle or have approval to apply on the registered keeper's behalf. Evidence of the registered keeper's consent will be required.
- The replacement or upgraded vehicle must meet the emissions standards required by the Order, e.g., Euro 6 diesel compliance. This can be a new or used vehicle and can include hybrid, alternative fuel, or electric vehicles where applicable.
- The Applicant must have a valid public service vehicle operator's license.
- If the vehicle is leased, satisfactory evidence of an agreement of the lease with the lessor is provided.
- The vehicle has not previously benefitted from and does not currently benefit from financial support to upgrade to a compliant vehicle (either by purchase of a replacement vehicle or by retrofit to upgrade to compliant standards) related to this or any other CAZ, or received any other form of Government clean air funding
- If the Applicant is a company:
 - It has been incorporated prior to 18 July 2022 and have filed accounts with no adverse records.
 - The Applicant must provide the company number at Companies House and use records to confirm it is an active company with up to date filing history and not showing adverse activity such as administration or striking off notices
- The replacement or upgraded vehicle must remain registered to the Applicant for a minimum of 24 months from the replacement date. The Council will periodically

check the DVLA database to ensure compliance. Repayment of the grant will be sought if this condition is not complied with. Should a vehicle be removed from the DVLA register (e.g., after accident damage). The Applicant should advise The Council, providing supporting information and contact details, as soon as possible.

- The replacement or upgraded bus or coach must operate within Newcastle, Gateshead, or North Tyneside for 5 years after purchase/retrofit

8.2 Private Sale of Non-Compliant Vehicle

8.2.1 Where the Applicant intends to sell the non-compliant vehicle privately, the following principles must be adhered to, to be eligible for funding:

- The sale of the non-compliant vehicle must be made to an unconnected third party
- All proceeds from the sale of the non-compliant vehicle must be used towards the purchase of the compliant vehicle
- Sales must not be made in cash
- Evidence of transfer of funds from the buyer to the Applicant must be provided

8.2.2 An invoice must be produced, signed by the buyer of the non-compliant vehicle, and will have details of:

- Sale Amount
- Date of transaction
- Registration & VIN number,
- Make and model of vehicle.
- Milage of the non-compliant vehicle
- Full name and address of both parties

8.3 Private Purchase of Compliant Vehicle

8.3.1 Where the Applicant intends to buy the compliant vehicle privately the following principles must be adhered to, to be eligible for funding.

8.3.2 The compliant vehicle must:

- Be a like for like replacement with the non-compliant vehicle
- Be registered in the UK
- Be purchased from an unconnected third party
- Be purchased from a source with a UK bank account
- Not be bought in cash

8.3.3 The Applicant must be able to provide an invoice for the purchase of the compliant vehicle that will contain:

- Purchase Price
- The funds from the non-compliant vehicle used against the purchase
- Registration number
- Make and model of compliant vehicle
- Details of the source of the compliant vehicle
- Full name and address of both parties
- Date transaction occurred.

8.3.4 The sale of the non-compliant vehicle and the purchase of the compliant vehicle must be simultaneous transactions. For the purposes of the scheme simultaneous will be the purchase of a compliant vehicle within 4 weeks of the sale of the non-compliant vehicle.

9. Terms on which funding is granted

- 9.1.1 The information supplied must be accurate, and if You (The Applicant) are approved for grant funding support, You will be required to sign a Grant Agreement before funding will be released. This is a legally binding document.
- 9.1.2 Some vehicles are eligible for a permanent national exemption. Where the vehicle falls into this category financial support to replace the non-compliant vehicle will not be provided.
- 9.1.3 You are required to sell the non-compliant vehicle to participate in the scheme
- 9.1.4 All proceeds from the sale of the non-compliant vehicle must be used towards the purchase of the compliant vehicle. A non-compliant vehicle can only receive financial support once.
- 9.1.5 The non-compliant vehicle must not have previously been used or currently be in the process of obtaining financial support under the scheme by either the existing or a previous owner.
- 9.1.6 Where a vehicle has been or is subject to any other financial support to upgrade to a compliant vehicle related to this or any other CAZ, or has received any other form of government grant support, it is not eligible for grant funding under the scheme.
- 9.1.7 Non-vehicle related costs such as insurance, warranty or specification upgrade are not included in this scheme.
- 9.1.8 The non-compliant vehicle must be replaced by a like for like vehicle type unless a specific case can be made for a change of vehicle type, which would require approval from The Council.
- 9.1.9 Applications for grant to replace a non-compliant minibus registered as a Hackney Carriage or Private Hire Vehicle will be considered as standard vehicle applications. (£3500 or £4,000 for Wheelchair Accessible Vehicle) No additional grant will be available.
- 9.1.10 Bus and coach operator's applications or those holding a Community Transport Permit for a licensed non-compliant minibus will be considered on the same basis as 9.1.9. above. (£3500 or £4,000 for a Wheelchair Accessible Vehicle) No additional grant will be available.
- 9.1.11 The application will be assessed by The Council, including those on behalf of Gateshead Borough Council and North Tyneside Council.
- 9.1.12 If your application is approved, we will send You an eligibility letter and a copy of the grant agreement together with details of the process to secure the grant and potentially low-cost finance to support vehicle replacement. We will also let You know if it is not approved and provide further advice.
- 9.1.13 You must purchase a compliant vehicle or retrofit the vehicle to meet the standards required of complaint vehicles within the meaning of the Order within 90 days of the date of the eligibility letter. This may be extended if proof of order of a compliant replacement vehicle or appropriate retrofit can be provided.
- 9.1.14 Any retrofit of the vehicle must be undertaken by a Supplier accredited under and using systems and technology accredited under Energy Saving Trust's Clean Vehicle Retrofit Accreditation Scheme (CVRAS).
- 9.1.15 Sufficient evidence that all transactions were made electronically has been provided.
- 9.1.16 Where grants have been awarded because of fraud, or where a grant has not been used in line with the terms and conditions of the scheme, the grant may be recovered from You, as may any grants paid in error.

9.1.17 If it is suspected that records have been falsified to gain grant funding, or if any other type of fraud is identified, your application may be declined and/or a referral may be made to the relevant authorities.

9.1.18 LGV Applicants who were identified as potentially being eligible for funding under the revised criteria may still access retrospective grant funding.

10. Retrospective Grant Funding

10.1.1 New applicants are no longer eligible to apply for retrospective grant funding.

10.1.2 Applicants who have been invited to reapply, may still access retrospective grant funding providing the non-compliant vehicle was owned prior to 18 July 2022 and has subsequently been replaced with a compliant vehicle between 18 July 2022 and the date the applicant was invited to reapply.

10.1.3 The compliant vehicle must:

- Be a like for like replacement with the non-compliant vehicle.
- Be registered in the UK.
- Be registered to an address within Newcastle upon Tyne, Gateshead, or North Tyne side Local Authority Areas

10.1.3 The Applicant must be able to provide evidence of:

- Evidence of ownership of the non-compliant vehicle this may include the V5C, insurance policy or finance agreement
- Valid MOT and tax on the non-compliant vehicle at the point of sale

10.1.4 An invoice must be produced, signed by the buyer of the non-compliant vehicle, and will have details of:

- Sale Amount
- Date of transaction
- Registration & VIN number,
- Make and model of vehicle.
- Mileage of the non-compliant vehicle
- Full name and address of both parties

10.1.5 The Applicant must be able to provide an invoice for the purchase of the compliant vehicle that will contain:

- Purchase Price
- The funds from the non-compliant vehicle used against the purchase
- Registration number
- Make and model of compliant vehicle
- Details of the source of the compliant vehicle
- Full name and address of both parties
- Date transaction occurred.

10.1.6 Registered keeper status of the compliant vehicle by the Applicant e.g., V5c document

Further details and information about the clean air zone can be found at www.breathe-cleanair.com.

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