

CENTRAL SWINDON NORTH PARISH COUNCIL

PARISH MINIBUS POLICY

Change Log		
Review Date	Action	By Whom
Nov 2025	Adopted	FC

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Minibus Policy

A) Aims

- To provide clear procedures relating to use of the Parish minibus.
- To ensure that all users of the minibus are aware of their legal responsibilities.

B) Those Eligible to Drive a Parish Minibus

The Clerk will maintain an approved list of employees who are eligible to drive the minibus.

It is the responsibility of the employee to undertake the Minibus Driver Training and Assessment and renewals. (MIDaS) and to check their driving licence entitlement.

Only those drivers on the approved list will be allowed to drive the minibus.

C) Health and Safety

Officers should ensure that they are aware of the minibus generic risk assessment.

The minibus is maintained by way of an annual service and MOT and by rectifications raised as part of the visual driver inspections.

D) Guidelines for Minibus Operations

Summary of Requirements

1. ALL Drivers must participate and be assessed in Minibus driving standards by MIDaS.
2. The vehicle must only be used for social purposes by a non-commercial body.
3. The driver is aged at least 21 and under 70 and has held a full Category B car licence for at least two years.
4. The minibus maximum weight is not more than 3.5 tonnes (4.25 tonnes if fitted with specialist equipment for the carriage of passengers)
5. Drivers must not receive any payment or consideration for driving other than out-of-pocket expenses such as fuel or light lunch.
6. Drivers may only drive the minibus within the United Kingdom.

Definitions

Minibus

A minibus is defined as a vehicle which has been constructed or adapted to carry more than 8, but no more than 16 seated passengers in addition to the driver. The gross vehicle weight should not be more than 5,000 kg.

Hire or Reward

Any payment (in cash, salary or kind), which gives a person a right or expectation to be carried on a vehicle regardless of whether a profit is made or not.

Licensing and Insurance

The legal requirements are that any person who is aged 21 or over, and obtained a car licence prior to 1st January 1997, may drive a minibus as defined above, provided the vehicle is not being operated for hire or reward.

Anyone who passed a car driving test **after** 1 January 1997 will be licensed to drive category B vehicles only, which will cover vehicles up to 3500kg with not more than 8 passengers. Except for the circumstances below:

Volunteer Drivers

'Volunteer drivers' are exempt from the above requirement and are allowed to drive a minibus with up to 16 passenger seats (in addition to the driver) under certain circumstances. Each circumstance will need to be assessed to determine whether the 'volunteer' criteria is met.

This exemption was designed to help charities and other groups who would not be able to provide D1 training and testing for all their volunteer drivers.

Unfortunately in 1997, the term 'volunteer driver' was not defined in law and in the intervening years has not been tested by case law. Therefore, there have been differing views and conflicting advice as to whether a Parish Officer driving a minibus is a 'volunteer' driver if they drive outside of their prescribed hours for no reward.

For the volunteer exemption to apply, the following additional conditions from section 7(6) of the Motor Vehicles (Driving Licences) Regulations 1999 must be met:

- Drivers must be 21 years or over (but under 70, unless they have passed a PCV Medical test)
- Drivers must have held their category B driving licence for at least two years
- The minibus is being used by a non-commercial body* for social purposes, but not for hire or reward**
- Drivers must not receive any payment or consideration for driving the minibus, other than out of-pocket expenses (e.g., travel costs to reach the destination where they will be such as petrol or light lunch).

- The minibus must not exceed 3.5 tonnes (or 4.25 tonnes if specialised equipment for the carriage of disabled passengers is included, but the additional weight is only for the specialised equipment)
- No trailer is towed.

All Driving Licences

It is the individual driver's responsibility to ensure that they are appropriately licensed to drive the minibus. If challenged, an individual driver and the Parish Council would have to show that the driver had a valid licence and training to drive the minibus.

Driver's Hours

Where journeys are likely to last longer than 2 hours, or the working day including driving time exceeds 13 hours, it is recommended that a second driver should be taken to share the work and reduce the risk of driver fatigue.

On a long trip daily driving should not exceed 6 hours per driver per day with appropriate rest breaks. If it does so appropriate overnight accommodation or additional drivers should be sought.

International

Officers are not permitted to drive the Minibus outside of the United Kingdom, including the Irish Republic under any circumstances.

Legitimate Use

The Minibus may only be driven with the consent of the Parish Council and on Parish Council related activities and only with written permission from the Clerk.

Daily Logs

Before use, the Minibus must be visually checked over and the visual checklist completed and held within the vehicle until return. Defects should be reported to the Estates Manager immediately and a decision will be made what/if action needs to be taken and whether the vehicle is roadworthy.

Where the vehicle is not roadworthy a sticker must be placed on the steering wheel and keys that the vehicle is not to be used.

Mileage

The odometer should be noted at the start and completion of every use from when the bus leaves the Pinetrees depot to when it arrives back. Unless there is a change of use between these times in which case the driver and odometer log should be made on each occasion.

Unauthorised Use

A steering lock should be applied to the steering wheel when the minibus is not in use and the key kept in the office safe separately from the minibus keys.

