
Motion to Council: decisions following public consultation

Committee considering report:	Executive
Date of Committee:	17 March 2026
Portfolio Member:	Councillor Vicky Poole
Date Portfolio Member agreed report:	22 January 2026
Report Author:	Martyn Sargeant, Service Director – Strategy and Governance
Forward Plan Ref:	EX4761

1 Purpose of the Report

- 1.1 To consider the response to a Motion submitted to Council on 16 October 2025, which proposed ‘that where a decision is made contrary to the majority of residents’ opinions via a public consultation, then an explanatory statement should be made explaining the reasons for doing so’. A copy of the full Motion is attached as appendix A.

2 Recommendations

- 2.1 That the Executive is informed that The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require local authorities to provide a record of relevant decisions, the reasons for decisions and any options considered but rejected.
- 2.2 That the Executive resolves to strengthen how the outcomes of consultations are reported through the Council’s consultation database.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	There are no financial implications arising from this decision. The approach proposed is already managed within the Council’s existing resources.
Human Resource:	None.

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Legal:	<p>The rationale for the proposed decision is in accordance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Local Government Act 1972 and the Openness of Local Government Bodies Regulations 2014.</p> <p>Sarah Clarke, Monitoring Officer, 23 Dec 2025</p>			
Risk Management:	No new risks have been identified in relation to the proposed decision.			
Property:	None.			
Policy:	None.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		There are no equalities implications arising from the proposed decision. Individual decisions made by the Council are subject to consideration of the equality implications.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
Environmental Impact:		X		None.
Health Impact:		X		None.

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ICT Impact:		X		None.
Digital Services Impact:		X		None.
Council Strategy Priorities:	X			This decision supports the strategy priority 'Services we are proud of' and the goal within it to 'treat our residents with respect, be transparent in our decision-making'.
Core Business:		X		This relates to business as usual, as the Council routinely publishes its decisions and the reasons for them.
Data Impact:		X		None.
Consultation and Engagement:	As the report relates to a general working principle rather than a specific issue, and was referred to the Executive by Council, no public engagement has been undertaken.			

4 Executive Summary

- 4.1 Transparency is a key principle of public life and administration – openness is one of the seven Nolan Principles (standards in public life). The Motion presented to the Council in October 2025 seeks to uphold that and ensure the public is informed about the decisions made on its behalf by the Council and the reasons for them.
- 4.2 Transparency in local authority decision-making is underpinned by The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, which set out the requirements for publicising key executive decisions. This is a legal requirement for the Council to which it already adheres. Although the decisions of Full Council sit outside the scope of the legislation, a similar approach has been adopted, publicising information related to those decisions as well, in accordance with the Local Government Act 1972 and the Openness of Local Government Bodies Regulations 2014.
- 4.3 Whilst the Council will welcome any opportunity to uphold openness and enable the public to understand options considered and decisions made, the information for publication suggested in the Motion is already routinely published for all decisions, whether supported by public consultation or not. Consequently, a further statement reiterating the same information is not required. However, there is scope to make a clearer link for the public so they can see whether and how consultation has informed the decision-making process.

5 Supporting Information

Background

- 5.1 At the Council meeting on 16 October 2026, a Motion was presented advocating that an explanatory statement should be published when a decision is made that is contrary to the option preferred by public consultation. The Council referred the Motion to the Executive for more detailed consideration. This report sets out the proposed response to the Motion and rationale for it.
- 5.2 The Council routinely consults on a wide range of issues. During 2024/25, there were 35 public consultations via the Council's consultation portal (2023/24: 43). This included consultations on the draft waste management strategy in 2024/25 and the draft domestic abuse strategy in 2023/24. So far in 2025/26, there have been 28 public consultations, including on the potential proposals for local government reorganisation in Berkshire/Oxfordshire. This is in addition to regular consultations required on regulatory matters (planning, licensing, etc.).
- 5.3 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 set out requirements for all councils in relation to executive decision-making. In particular, Part 4, s12 states:
- 12.— (1) As soon as reasonably practicable after any meeting of a decision-making body at which an executive decision was made, the proper officer, or if the proper officer was not present at the meeting, the person presiding, must ensure that a written statement is produced for every executive decision made which includes the information specified in paragraph (2).*
- (2) The statement referred to in paragraph (1) must include—*
- (a) a record of the decision including the date it was made;*
 - (b) a record of the reasons for the decision;*
 - (c) details of any alternative options considered and rejected by the decision-making body at the meeting at which the decision was made;*
 - (d) a record of any conflict of interest relating to the matter decided which is declared by any member of the decision-making body which made the decision; and*
 - (e) in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service.*
- 5.4 Section 13 goes on to reiterate these requirements for individual executive decisions.
- 5.5 After an Executive decision-making meeting (individual or by the Executive members acting collectively), the Council publishes both the minutes of the meeting, which set out a summary of the discussion leading to a decision, together with a decision statement. This is in addition to the report published in advance of the meeting, which sets out the detail of any proposal, together with analysis of its implications, a summary of any related consultation and an explanation of alternative options considered. All of

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this information is available on the Council’s website and also in hard copy for public inspection. Together, these practices broadly fulfil the objectives of the Motion.

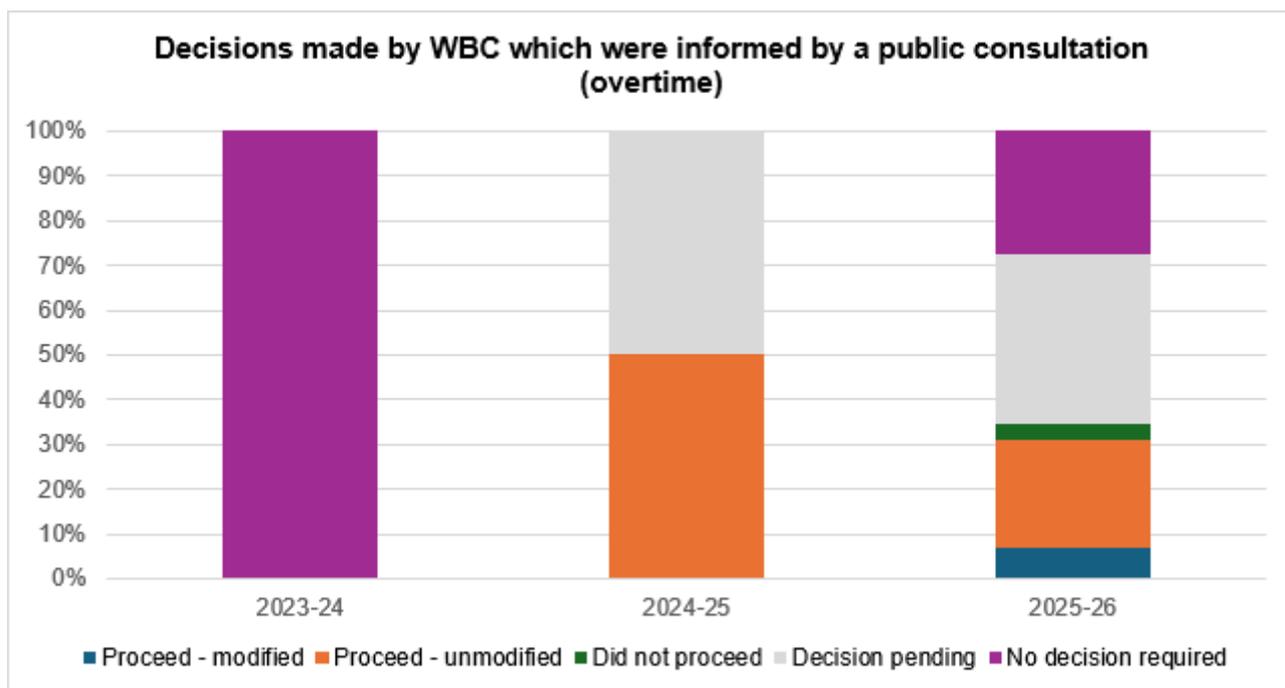
5.6 The Council’s web-based database provides a comprehensive overview of consultations undertaken, providing details of the background, any proposals, the implications and impact, how somebody can contribute and what will happen following the consultation. However, it’s not possible to see at a glance, looking at the list of consultations, what the broad outcome was in relation to the public’s feedback. This can be easily rectified by categorising each consultation with an outcome as follows:

- Proceed - modified: proposal amended following consultation feedback.
- Proceed - unmodified: implemented as originally proposed following consultation.
- Did not proceed – this may be linked to the consultation or for other reasons.
- Decision pending: yet to be determined.
- No decision required: not linked to a specific decision but providing contextual feedback that informs future service delivery.

Proposal

5.7 In light of the Council’s existing approach, set out above, which is in accordance with the legal framework, it is considered that producing a further statement providing the same information is unlikely to be any more helpful to members of the public. This could, potentially, create confusion by having multiple sources of the same material.

5.8 However, in order to enable members of the public to more easily understand the decision that has arisen following consultation, the published list can be given an outcome classification. A graph (example below) will be placed on the consultation page to provide a summary, with a link to more detail on the outcomes in relation to individual consultations.



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5.9 The legislative requirements set out above only relate to Executive decision-making and not to any decisions reserved to the Council. However, the Council adopts a similar approach, making reports relating to decisions available publicly, which detail alternative options considered and, once a decision is made, minutes of the meeting summarising that decision. This is in accordance with the legal framework detailed above.

6 Other options considered

6.1 The current arrangements could be maintained as explanatory information is already provided to the public, meeting the legislative requirements.

6.2 It would be possible for the Council to issue an additional statement setting out information relating to the decision, the alternative options considered and the rationale for that decision. However, this option was rejected as it represented duplication of information already made available to the public.

7 Conclusion

7.1 The Council welcomes any opportunity to communicate more effectively with residents and to support understand of decisions made about West Berkshire. Whilst the motion is therefore welcomed, providing duplicate information is not considered to be helpful for members of the public but it has highlighted a simple way in which the Council can communicate more effectively.

8 Appendices

8.1 Appendix A – Motion to Council, 16 October 2025

Background Papers:

None

Subject to Call-In:

Yes: No:

Wards affected: All

Officer details:

Name: Martyn Sargeant
Job Title: Service Director – Strategy and Governance
Tel No: 01635 503076
E-mail: martyn.sargeant1@westberks.gov.uk

Motions submitted for debate at the Council meeting on 16 October 2025

(d) The following Motion has been submitted in the name of Councillor Ross Mackinnon:

That where a decision is made contrary to the majority of residents' opinions via a public consultation, then an explanatory statement should be made explaining the reasons for doing so

1. This Council considers that individual members, the Executive, and the Council itself should always be honest and transparent with, and accountable to, the residents of West Berkshire.
2. This Council notes with approval that the foreword to the Liberal Democrats' manifesto for the 2023 West Berkshire Council elections included the following commitment:

"A Liberal Democrat administration will be one that listens to you, and gives you a real say in the decisions that affect our area."

3. This Council recognises that in the event that:
 - i. residents are asked for their views on a particular proposal or policy via a public consultation, and
 - ii. residents' responses indicate a majority either for their approval or for their disapproval of that proposal or policy, and
 - iii. following the consultation process the relevant decision-making body (Council, Executive or Individual Executive Member) makes a decision not in accordance with the majority of residents' responses, then

there is a risk that public trust in the Council, the public's feeling that they are listened to, and the public's feeling that they have a real say in the decisions that affect our area, will be diminished.

4. This Council therefore considers that in the event a decision is made contrary to the majority of residents' opinions expressed via a public consultation, then a statement should be published on the Council's public website no more than 14 days after the making of the decision, written by:
 - the Chairman of Council in respect of a Council decision, or
 - the Leader of the Council in respect of an Executive decision, or
 - the relevant Individual Executive Member in respect of an Individual Executive Member decision,

clearly informing residents that a decision has been made contrary to the majority of residents' opinions expressed via a public consultation, and explaining the decision-maker's rationale for making that decision not in accordance with that majority of residents' opinions.