

Single Member Cabinet Decision

**Executive
Forward Plan
Reference****E 3391****AGHL Interim Dividend Report**

Decision maker	Cllr Kevin Guy, Leader of the Council
The Issue	This report seeks a formal shareholder Decision following approval of the Aequus Group Holding Limited (AGHL) Board to the proposed interim dividend payable to the Shareholder in order to meet the total Council Returns target set of £1m for each of the financial years 2020/21 and 2021/22. A formal Shareholder Decision is required in accordance with the Shareholder Agreement, as Reserved Matter 32 for the actual dividend payment to be made from AGHL to the Council (Shareholder)
Decision Date	25 October 2022
The decision	The Cabinet Member agrees to approve the proposed interim dividends of £460K for 2020/21 and £709k for 2021/22 to the shareholder, in accordance with the requirements of the Shareholder Agreement, reserved matters.
Rationale for decision	In order to pay a dividend, the Company and Directors have demonstrated that it has sufficient distributable reserves to support the payment. The payment, when made, will be supported by the issuance of a formal dividend voucher from AGHL to B&NES Council (Shareholder). The proposed dividend is in accordance with the approved AGHL Business Plans covering the periods 20/21 and 21/22. and in accordance with the Companies Act 2006 dividends are accounted for at the point that they are formally approved for payment in this case 22/23 regardless of the year to which they relate.
Financial and budget implications	In order to pay a dividend, the Company and Directors have demonstrated that it has sufficient distributable reserves to support the payment. The payment, when made, will be supported by the issuance of a formal dividend voucher from AGHL to B&NES Council (Shareholder). The proposed dividend is in accordance with the approved AGHL Business Plans covering the periods 20/21 and 21/22. and in accordance with the Companies Act 2006 dividends are accounted for at the point that they are formally approved for payment in this case 22/23 regardless of the year to which they relate.
Issues considered	Corporate; Health & Safety; Climate Change, Other Legal Considerations
Consultation undertaken	Section 151 Finance Officer; Monitoring Officer; Director of Regeneration and Housing.
How consultation was carried out	A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Other options considered	No other options were available.
Declaration of interest by Cabinet Member(s) for decision:	None
Any conflict of interest declared by anyone who is consulted by a Member taking the decision:	None

Name and Signature of Decision Maker/s	Cllr Kevin Guy
Date of Signature	25/10/2022

NOT Subject to Call-in