

## Single Member Cabinet Decision

**Executive  
Forward Plan  
Reference****E3482****AGHL Interim Dividend to Shareholder**

<b>Decision maker/s</b>	Cllr Kevin Guy, Leader of Bath & North East Somerset Council
<b>The Issue</b>	<p>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)</p>
<b>Decision Date</b>	10 October 2023
<b>The decision</b>	<p>The Cabinet Member agrees to approve the reserved matter below to allow AGHL to progress with paying the interim dividend of £848K for 2022/23 to the Shareholder in order to meet the total Council Returns target set of £1m for the financial year 2022/23</p> <ul style="list-style-type: none"><li>• Reserved Matter 32 - Declaring or paying any end of year dividend of the Company (where applicable)</li></ul>
<b>Rationale for decision</b>	<p>Qualifying returns to the Council comprise of total commercial interest paid on Council Loans with the balance on the target met through dividend payments. Following the restructure of the Aequus Group, dividends flow to the Shareholder via Aequus Group Holdings Limited.</p> <p>Actual returns for 2022/23 show a total of £152K has been paid by ACL and ADL in commercial interest on development capital loans leaving a balance of £848K required to be met via the annual profit dividend to be received from ACL and paid onto the Shareholder.</p>
<b>Financial and budget implications</b>	In accordance with the Council's MTSRP, the company has a target of £1m per annum revenue financial returns to the Shareholder
<b>Issues considered</b>	Corporate; Health & Safety; Climate Change, Other Legal Considerations
<b>Consultation undertaken</b>	Section 151 Finance Officer; Monitoring Officer; Director of Regeneration and Housing
<b>How consultation was carried out</b>	In discussion with the Council's Shareholder Group, it was recommended that the Shareholder Representative approve the dividend payments. The S151, Director of Regeneration & Housing & Monitoring Officer were privy to the Shareholder Group discussions and were consulted on and approved the contents of the Shareholder SMD report.

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

<b>Name and Signature of Decision Maker/s</b>	Councillor Kevin Guy Leader of Bath and North East Somerset Council
<b>Date of Signature</b>	10 <sup>th</sup> October 2023
<b>NOT Subject to Call-in</b>	