

Annual Governance Report

September 2006



Annual governance report

Ryedale District Council

Audit 2005/06

External audit is an essential element in the process of accountability for public money and makes an important contribution to the stewardship of public resources and the corporate governance of public services.

Audit in the public sector is underpinned by three fundamental principles:

- auditors are appointed independently from the bodies being audited;
- the scope of auditors' work is extended to cover not only the audit of financial statements but also value for money and the conduct of public business; and
- auditors may report aspects of their work widely to the public and other key stakeholders.

The duties and powers of auditors appointed by the Audit Commission are set out in the Audit Commission Act 1998 and the Local Government Act 1999 and the Commission's statutory Code of Audit Practice. Under the Code of Audit Practice, appointed auditors are also required to comply with the current professional standards issued by the independent Auditing Practices Board.

Appointed auditors act quite separately from the Commission and in meeting their statutory responsibilities are required to exercise their professional judgement independently of both the Commission and the audited body.

Status of our reports to the Council

The Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission explains the respective responsibilities of auditors and of the audited body. Reports prepared by appointed auditors are addressed to members or officers. They are prepared for the sole use of the audited body. Auditors accept no responsibility to:

- any member or officer in their individual capacity; or
- any third party.

Copies of this report

If you require further copies of this report, or a copy in large print, in Braille, on tape, or in a language other than English, please call 0845 056 0566.

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For further information on the work of the Commission please contact:

Audit Commission, 1st Floor, Millbank Tower, Millbank, London SW1P 4HQ

Tel: 020 7828 1212 Fax: 020 7976 6187 Textphone (minicom): 020 7630 0421

www.audit-commission.gov.uk

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Purpose of this report

- 1 We are required by the Audit Commission's statutory Code of Audit Practice for Local Government bodies (the Code) to issue a report to those charged with governance summarising the conclusions from our audit work. For the purposes of this report, the Overview & Scrutiny Committee is considered to fulfil the role of those charged with governance. Due to the timing of the committee meetings and our requirement to present this report by 30 September, we will discuss it with the Chair of the Committee (acting on behalf of the Committee) on 26 September.
- 2 We are also required by professional auditing standards to report to the Audit Committee certain matters before we give our opinion on the financial statements. The section covering the financial statements fulfils this requirement.
- 3 The principle purposes of the report are:
 - to reach a mutual understanding of the scope of the audit and the respective responsibilities of the auditor and the Audit Committee;
 - to share information to assist both the auditor and those charged with governance to fulfil their respective responsibilities; and
 - to provide the Audit Committee with recommendations for improvement arising from the audit process.
- 4 The Audit Commission has circulated to all audited bodies a Statement of Responsibilities of Auditors and Audited Bodies that summarises the key responsibilities of auditors. Our audit has been conducted in accordance with the principles set out in that statement.

Scope of the report

- 5 In undertaking our audit, we comply with the statutory requirements of the Audit Commission Act 1998 and the Code. Our responsibilities are to review and report on, to the extent required by relevant legislation and the Code:
 - the Council's financial statements; and
 - whether the Council has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources.
- 6 Our risk assessment and planned response to the key audit risks was summarised in our audit and inspection plan. A summary of our responsibilities and audit approach is included in Appendix 1. The results of our inspection work, and our separate grant claims' certification programme, will be reported in the Relationship Manager Letter later in the year.

- 7 We have issued separate reports during the year having completed specific aspects of our programme, which are listed in Appendix 2. Appendix 3 provides information about the fee charged for our audit and Appendix 4 sets out the requirements in respect of independence and objectivity.

Key messages

Financial statements

- 8 Our work on the financial statements is substantially complete, although there is still some outstanding work on the reconciliation of the Housing Benefits system to the accounts. Should any further matters arise in concluding the outstanding work that requires reporting, we will raise them with the Chair of the Overview & Scrutiny committee.
- 9 Subject to the satisfactory conclusion of the work outstanding, we anticipate being able to issue an unqualified opinion by 30 September 2006 (a draft report is attached at Appendix 5).

Use of resources

- 10 Our work on the Council's arrangements to secure economy, efficiency and effectiveness in its use of resources is now complete. We anticipate being able to issue an unqualified conclusion on the use of resources by 30 September 2006 (a draft report is attached at Appendix 5).

Financial statements

- 11 We are required to give an opinion on whether the Council's financial statements present fairly the financial position of the Council as at 31 March 2006 and its income and expenditure for the year then ended.

Status of the audit

- 12 Our work on the financial statements is substantially complete, although there is still some outstanding work on the reconciliation of the Housing Benefits system to the accounts. Should any further matters arise in concluding the outstanding work that requires reporting, we will raise them with the Chair of the Overview & Scrutiny committee.

Matters to be reported to the Committee

- 13 We have the following matters to draw to the Committee's attention.

Expected modifications to the auditor's report

- 14 On the basis of our audit work, subject to the satisfactory conclusion of any work outstanding reported above, we currently propose to issue an unqualified audit report. A draft audit report is attached at Appendix 5.

Uncorrected misstatements

- 15 Officers have adjusted the financial statements for all the errors that we have identified, except for those that are 'clearly trivial' (as defined in professional auditing standards).

Adjusted misstatements

- 16 To assist you in fulfilling your governance responsibilities, we are required to consider reporting adjusted misstatements to you where these are material. Our audit has identified that there were no material errors in the accounts presented for audit.

Qualitative aspects of accounting practices and financial reporting

- 17 Our audit includes consideration of the qualitative aspects of the financial reporting process, including matters that have a significant impact on the relevance, reliability, comparability, understandability and materiality of the information provided by the financial statements. We wish to report the following matter to you.

- 18 The financial statements for the Council include entries relating to the Pension Fund deficit. These transactions are significant in value but have no net effect on the consolidated revenue account. They are derived from a report to the Council by the Pension Fund's actuary.
- 19 We have not re-performed the work of the actuary but, as required by professional auditing standards, we have relied on the work of the auditor of the North Yorkshire Pension Fund accounts to satisfy ourselves that it is appropriate to use the work of the Pension Fund's actuary to help us assess whether the entries relating to the Pension Fund are reasonable.
- 20 As part of this work the auditor of the North Yorkshire Pension Fund compared the total scheme assets in the North Yorkshire Pension Fund accounts to the value of the scheme's assets used by the actuary in its calculations.
- 21 The actuary has estimated the market value of the assets at 31 March 2006 based on the known position at the end of February 2006. The Pension Fund auditor reviewed the return on investments used and compared this with the overall return on investments in the scheme accounts. The overall rate of return in the scheme accounts is 26.81%. The actuary has calculated a rate of return of 25.87%. The difference of 0.94% when applied to the market value of assets allocated to Ryedale of £24.5 million produces a variance of £229,000. We are satisfied, however, that because of the nature and magnitude of transactions relating to the Pension Fund, this difference would be unlikely to influence the decisions of users of the accounts. We have, therefore, not requested that an adjustment be made to the accounts.

Material weaknesses in internal control identified during the audit

- 22 Our audit did not identify any weaknesses in systems of accounting and financial control which required reporting to you. We have not provided a comprehensive statement of all weaknesses which may exist in internal control or of all improvements which may be made, but have addressed only those matters which have come to our attention as a result of the audit procedures we have performed.

Matters specifically required by other auditing standards

- 23 Other auditing standards require us to communicate with you in other specific circumstances including:
 - where we suspect or detect fraud;
 - where there is an inconsistency between the financial statements and other information in documents containing the financial statements; and
 - non-compliance with legislative or regulatory requirements and related authorities.

There are no matters that we wish to report to you.

Any other matters of governance interest

- 24 Finally, we are required to report any other matters that we believe to be of governance interest. We report these matters in Table 1 below.

Table 1 Other matters of governance interest

There are a number of other matters that we would like to bring to the attention of those charged with governance

Area	Auditor responsibility	Impact
Statement of internal control (SIC)	We review the SIC for compliance with the requirements of proper practice as specified by CIPFA and consistency with other information from the audit of the financial statements.	Our review of the SIC confirms that it complies with proper practice and is consistent with other information from our audit.
Whole of Government Accounts' consolidation	We are responsible for issuing a report on the consistency of your consolidation pack with the statutory financial statements.	We have received the Whole of Government Accounts consolidation pack from you and this is now subject to audit.

Letter of representation

- 25 We obtain written representations from management as an acknowledgement of its responsibility for the fair presentation of the financial statements and as audit evidence on matters material to the financial statements. The text of the required letter of representation is included at Appendix 6.
- 26 The International Standards on Auditing (UK & Ireland), with apply from this year's audit, require the letter of representation to be signed by 'those charged with governance' in addition to being signed by officers. This letter should be signed by the Chair of the Overview & Scrutiny Committee, and by the Chief Financial Officer.

Next steps

- 27 We are drawing these matters to the Committee's attention so that:
- you can consider them before the financial statements are approved and certified; and
 - the representation letter can be signed on behalf of the Council and those charged with governance before we issue our opinion on the financial statements.

Use of resources

Value for money conclusion

- 28 The Code requires us to reach a conclusion on whether we are satisfied that the Council has proper arrangements in place for securing economy, efficiency and effectiveness in its use of your resources (the value for money conclusion). In meeting this responsibility, we will review evidence that is relevant to the Council's corporate performance management and financial management arrangements. Our work in reaching the value for money conclusion is integrated with our work on the use of resources assessment. The use of resources assessment is a qualitative assessment of the effectiveness of the Council's arrangements to secure economy, efficiency and effectiveness in its use of resources. The five areas we make assessments on are; financial statements, financial management, financial standing, internal control and value for money.
- 29 Our work in relation to the value for money conclusion is substantially complete, and there are no matters which we wish to draw to the attention of the Audit Committee. We report in Table 2 the value for money conclusion against each of the twelve criteria, identifying the links with the other audit work.

Table 2 Value for money conclusion

We expect to issue an unqualified conclusion on the Council's arrangements to secure value for money in the use of its resources

VFM conclusion criteria	Source of assurance	VFM conclusion (Pass/Fail)
1. The body has put in place arrangements for setting, reviewing and implementing its strategic and operational objectives.	Review of previous audit reports, plus an update for any known changes to arrangements.	Pass
2. The body has put in place channels of communication with service users and other stakeholders including partners, and there are monitoring arrangements to ensure that key messages about services are taken into account.	Review of previous audit reports, plus an update for any known changes to arrangements.	Pass
3. The body has put in place arrangements for monitoring and scrutiny of performance,	Review of previous audit reports, plus an update for any known changes to	Pass

VFM conclusion criteria	Source of assurance	VFM conclusion (Pass/Fail)
to identify potential variances against strategic objectives, standards and targets, for taking action where necessary, and reporting to members.	arrangements.	
4. The body has put in place arrangements to monitor the quality of its published performance information, and to report the results to members.	Data quality audit - stage 1.	Pass
5. The body has put in place arrangements to maintain a sound system of internal control.	KLOE 4.2 - The organisation has arrangements in place to maintain a sound system of internal control.	Pass
6. The body has put in place arrangements to manage its significant business risks.	KLOE 4.1 - The organisation manages its significant business risks.	Pass
7. The body has put in place arrangements to manage and improve value for money.	KLOE 5.2 The organisation manages and improves value for money	Pass
8. The body has put in place a medium-term financial strategy, budgets and a capital programme that are soundly based and designed to deliver its strategic priorities.	KLOE 2.1 - The organisation's medium-term financial strategy, budgets and capital programme are soundly based and designed to deliver its strategic priorities.	Pass
9. The body has put in place arrangements to ensure that its spending matches its available resources.	KLOE 3.1 - The organisation manages its spending within available resources.	Pass
10. The body has put in place arrangements for managing performance against budgets.	KLOE 2.2 - The organisation manages performance against budgets.	Pass
11. The body has put in place arrangements for the management of its asset	KLOE 2.3 - The organisation manages its asset base.	Pass

VFM conclusion criteria	Source of assurance	VFM conclusion (Pass/Fail)
base.		
12. The body has put in place arrangements that are designed to promote and ensure probity and propriety in the conduct of its business.	KLOE 4.3 - The organisation has arrangements in place that are designed to promote and ensure probity and propriety in the conduct of its business.	Pass

Use of auditors' statutory powers

- 30 Auditors are required to consider the exercise of certain statutory powers during the course of the audit, as summarised in Table 5 below.

Table 3 Use of statutory powers

Insert text

Issue	Auditor responsibility	Impact
Section 8 reports	Section 8 of the Act requires us to consider whether, in the public interest, we should report on any matter that comes to our attention in the course of the audit so that it may be considered by the body concerned or brought to the attention of the public.	There have been no section 8 reports in respect of the financial year 2005/2006.
Section 11 recommendations	To consider whether a written recommendation should be made to the audited body requiring it to be considered and responded to publicly.	There have been no s11 recommendations.
Best value	To consider whether to recommend that the Audit Commission should carry out a best value inspection of the Council under section 10 of the Local Government Act 1999 and/or that the Secretary of State should give a direction under section 15 of that Act.	Our work in respect of your 2005/2006 Best Value Performance Plan (BVPP) was reported in the 2005 annual audit and inspection letter. No recommendations were made to the Audit Commission or the Secretary of State.

Closing remarks

- 31 This report has been discussed and agreed with the Chief Financial Officer. A copy of the report will be presented to the Chair of the Overview & Scrutiny Committee on 26 September 2006.
- 32 The Council has taken a positive and constructive approach to our audit and I would like to take this opportunity to express my appreciation for the Council's assistance and co-operation.

Mark Kirkham
District Auditor

September 2006

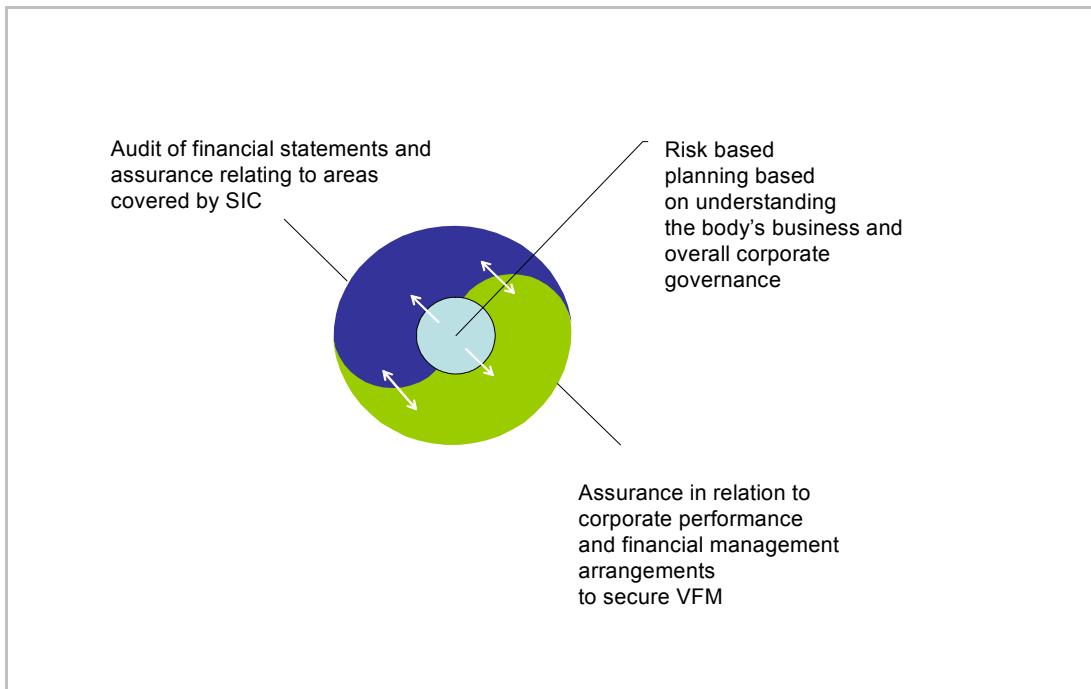
Appendix 1 – Audit responsibilities and approach

Audit objectives

- 1 Our objective as your appointed auditor is to plan and carry out an audit that meets the requirements of the Code of Audit Practice. We adopt a risk-based approach to planning our audit, and our audit work has focused on the significant risks that are relevant to our audit responsibilities.

Figure 1 Code of Audit Practice

Code of practice responsibilities



Approach to the audit of the financial statements

- 2 In our approach to auditing the financial statements, we adopt a concept of materiality. Material errors are those which might be misleading to a reader of the financial statements. We seek, in planning and conducting our audit of the accounts, to provide reasonable assurance that your financial statements are free of material misstatement. In planning our work we considered the arrangements of the Council which had most impact on our opinion. These included:
 - the standard of the overall control environment and internal controls;
 - reliance on internal audit;
 - the likelihood of material misstatement occurring from of material information systems; or a material error failing to be detected by internal controls;
 - any changes in financial reporting requirements; and
 - the effectiveness of procedures for producing the financial statements and supporting material.
- 3 The results of the above feed into our risk assessment which determines the level and type of testing undertaken on each element of the financial statements.

Approach to audit of arrangements to secure value for money

- 4 The scope of these arrangements is defined in paragraph 20 of the Code as comprising:
 - corporate performance management; and
 - financial management arrangements.
- 5 Our conclusion is informed and limited by reference to relevant criteria covering specific aspects of audited bodies' arrangements, specified by the Code.
- 6 In planning audit work in relation to the arrangements for securing economy, efficiency and effectiveness in the use of resources, considered and assessed relevant significant business risk. Significance is defined by the Code as 'a matter of professional judgment and includes both quantitative and qualitative aspects of the risk'.
- 7 The potential sources of assurance when reaching the value for money conclusion include:
 - the Council's whole system of internal control as reported in its statement on internal control;
 - results from statutory inspections or the work of other regulators, for example, corporate assessments, service assessments (whether by the Commission or other regulators);

- work specified by the Audit Commission, for example, the use of resources assessments, and data quality work;
- links to the financial statements' audit, including review of internal audit, the SIC and budgetary control arrangements; and
- other work necessary to discharge our responsibilities.

Appendix 2 – Audit reports issued

Planned output	Planned date of issue	Actual date of issue	Addressee
Audit and inspection plan	March 2005	April 2005	The Council
Annual governance report	September 2006	September 2006	Overview & Scrutiny Committee
Opinion on financial statements	September 2006		The Council
Value for money conclusion	September 2006		The Council
Final accounts memorandum	October 2006		Management
Annual audit & inspection letter	March 2007		The Council
Use of resources assessments	March 2006	March 2006	The Council
Data Quality report	October 2006		Management
Best Value Performance Plan	December 2005	November 2005	The Council

Appendix 3 – Fee information

Table 4

Fee estimate	Plan 2005/06	Actual 2005/06
Accounts	£15,100	£18,000 *
Use of resources	£42,970	£42,970
Total audit fees	£58,070	£60,970
Inspection	£3,200	£3,200
Total audit and inspection fee	£61,720	£64,170

* the additional fee for accounts was to cover additional audit work required as a result of the new International Auditing Standards

Appendix 4 – The Audit Commission’s requirements in respect of independence and objectivity

- 1 We are required by the standard to communicate following matters to the Audit Committee:
 - the principal threats, if any to objectivity and independence identified by the auditor, including consideration of all relationships between the Council, directors and the auditor;
 - any safeguards adopted and the reasons why they are considered to be effective;
 - any independent partner review;
 - the overall assessment of threats and safeguards; and
 - information about the general policies and processes for maintaining objectivity and independence.
- 2 We are not aware of any relationships that may affect the independence and objectivity of the team, and which are required to be disclosed under auditing and ethical standards.

Appendix 5 – Independent auditor’s report to the members of Ryedale District Council

Opinion on the financial statements

I have audited the financial statements of Ryedale District Council for the year ended 31 March 2006 under the Audit Commission Act 1998, which comprise the Consolidated Revenue Account, the Collection Fund, the Consolidated Balance Sheet, the Statement of Total Movements in Reserves, the Cash Flow Statement, and the related notes. These financial statements have been prepared under the accounting policies set out within them.

This report is made solely to Ryedale District Council in accordance with Part II of the Audit Commission Act 1998 and for no other purpose, as set out in paragraph 36 of the Statement of Responsibilities of Auditors and of Audited Bodies prepared by the Audit Commission.

Respective responsibilities of the Chief Finance Officer and auditors

The Chief Finance Officer’s responsibilities for preparing the financial statements in accordance with applicable laws and regulations and the Statement of Recommended Practice on Local Authority Accounting in the United Kingdom 2005 are set out in the Statement of Responsibilities.

My responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

I report to you my opinion as to whether the financial statements presents fairly the financial position of the Council in accordance with applicable laws and regulations and the Statement of Recommended Practice on Local Authority Accounting in the United Kingdom 2005.

I review whether the statement on internal control reflects compliance with CIPFA’s guidance. I report if it does not comply with proper practices specified by CIPFA or if the statement is misleading or inconsistent with other information I am aware of from my audit of the financial statements. I am not required to consider, nor have I considered, whether the statement on internal control covers all risks and controls. I am also not required to form an opinion on the effectiveness of the Council’s corporate governance procedures or its risk and control procedures.

I read other information published with the financial statements, and consider whether it is consistent with the audited financial statements. This other information comprises only the Explanatory Foreword. I consider the implications for my report if I become aware of any apparent misstatements or material inconsistencies with the financial statements. My responsibilities do not extend to any other information.

Basis of audit opinion

I conducted my audit in accordance with the Audit Commission Act 1998, the Code of Audit Practice issued by the Audit Commission and International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgments made by the Council in the preparation of the financial statements, and of whether the accounting policies are appropriate to the Council’s circumstances, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all the information and explanations which I considered necessary in order to provide me with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming my opinion I also evaluated the overall adequacy of the presentation of information in the financial statements.

Opinion

In my opinion the financial statements present fairly, in accordance with applicable laws and regulations and the Statement of Recommended Practice on Local Authority Accounting in the United Kingdom 2005, the financial position of the Council as at 31 March 2006 and its income and expenditure for the year then ended.

Mark Kirkham

Audit Commission
Kernel House
Killingbeck Drive
Killingbeck
Leeds LS14 6UF

September 2006

Conclusion on arrangements for securing economy, efficiency and effectiveness in the use of resources

Council’s Responsibilities

The Council is responsible for putting in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources, to ensure proper stewardship and governance, and to regularly review the adequacy and effectiveness of these arrangements.

Under the Local Government Act 1999, the Council is required to prepare and publish a best value performance plan summarising the Council’s assessment of its performance and position in relation to its statutory duty to make arrangements to ensure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

Auditor’s Responsibilities

I am required by the Audit Commission Act 1998 to be satisfied that proper arrangements have been made by the Council for securing economy, efficiency and effectiveness in its use of resources. The Code of Audit Practice issued by the Audit Commission requires me to report to you my conclusion in relation to proper arrangements, having regard to relevant criteria specified by the Audit Commission for principal local authorities. I report if significant matters have come to my attention which prevent me from concluding that the Council has made such proper arrangements. I am not required to consider, nor have I considered, whether all aspects of the Council’s arrangements for securing economy, efficiency and effectiveness in its use of resources are operating effectively.

I am required by section 7 of the Local Government Act 1999 to carry out an audit of the Council’s best value performance plan and issue a report:

- certifying that I have done so;
- stating whether I believe that the plan has been prepared and published in accordance with statutory requirements set out in section 6 of the Local Government Act 1999 and statutory guidance; and
- where relevant, making any recommendations under section 7 of the Local Government Act 1999.

Conclusion

I have undertaken my audit in accordance with the Code of Audit Practice and I am satisfied that, having regard to the criteria for principal local authorities specified by the Audit Commission and published in July 2005, in all significant respects, Ryedale District Council made proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ending 31 March 2006.

Best Value Performance Plan

I issued my statutory report on the audit of the Council’s best value performance plan for the financial year 2005/06 in November 2005. I did not identify any matters to be reported to the Council and did not make any recommendations on procedures in relation to the plan.

Certificate

I certify that I have completed the audit of the accounts in accordance with the requirements of the Audit Commission Act 1998 and the Code of Audit Practice issued by the Audit Commission.

Mark Kirkham

Audit Commission
Kernel House
Killingbeck Drive
Killingbeck
Leeds LS14 6UF

September 2006

Appendix 6 – Letter of representation

To:

Mark Kirkham, District Auditor
The Audit Commission
Kernel House
Killingbeck Drive
Killingbeck
Leeds LS14 6UF

Ryedale District Council - Audit for the year ended 31 March 2006

I confirm to the best of my knowledge and belief, having made appropriate enquiries of other directors and members of Ryedale District Council, that the following representations given to you in connection with your audit of the Council's financial statements for the year ended 31 March 2006.

I acknowledge my responsibility under the relevant statutory authorities for preparing the financial statements which give a true and fair view and for making accurate representations to you.

The Council has no plans or intentions that may materially alter the carrying value or classification of assets and liabilities reflected in the financial statements.

Supporting records

All the accounting records have been made available to you for the purpose of your audit and all the transactions undertaken by the Council have been properly reflected and recorded in the accounting records. All other records and related information, including minutes of all Council meetings, have been made available to you.

Related party transactions

I confirm the completeness of the information provided regarding the identification of related parties. The identity of, and balances and transactions with, related parties have been properly recorded and where appropriate, adequately disclosed in the financial statements.

Contingent liabilities

There are no other contingent liabilities, other than those that have been properly recorded and disclosed in the financial statements. In particular:

- there is no significant pending or threatened litigation, other than those already disclosed in the financial statements; and,

- there are no material commitments or contractual issues, other than those already disclosed in the financial statements;
- no financial guarantees have been given to third parties.

Law, regulations and codes of practice

There are no instances of non-compliance with laws, regulations and codes of practice, likely to have a significant effect on the finances or operations of the PCT.

Irregularities

I acknowledge my responsibility for the design and implementation of internal control systems to prevent and detect error.

There have been no:

- irregularities involving management or employees who have significant roles in the system of internal accounting control;
- irregularities involving other employees that could have a material effect on the financial statements;
- communications from regulatory agencies concerning non-compliance with or deficiencies on, financial reporting practices which could have a material effect on the financial statements.

Post balance sheet events

Since the date of approval of the financial statements by the Council no additional significant post balance sheet events that have occurred which would require additional adjustment or disclosure in the financial statements.

I confirm that the Council adopted the draft accounts at its meeting on (insert date) and that they were prepared on a going concern basis.

Signed on behalf of Ryedale District Council

Signed

Name

Position

Date.

