



# Annual Audit Letter

Issued by the Local Government Auditor  
2009



## Ards Borough Council

Year to 31 March 2009

## Introduction

The Department of the Environment may, with the consent of the Comptroller and Auditor General for Northern Ireland, designate persons who are members of the staff of the Northern Ireland Audit Office as local government auditors (Article 4(3) of the Local Government (Northern Ireland) Order 2005). For the year ending 31 March 2009 I have been designated the local government auditor for the Council.

As an auditor independent of the audited body I seek to examine that the body has managed its affairs having regard to a combination of economy, efficiency and effectiveness and that public money is properly spent or in the case of income properly accounted for.

## Status and Availability of this Annual Audit Letter

This Annual Audit Letter is issued under Article 13 of the Local Government (Accounts and Audit) Regulations (Northern Ireland) 2006. The Regulations require the local government body to publish this Annual Audit Letter as soon as reasonably possible. The local government auditor will place a copy of this Annual Audit Letter on the NIAO website at [www.niauditoffice.gov.uk](http://www.niauditoffice.gov.uk).

The Audit Letter is addressed to members and prepared for the sole use of the audited body; no responsibility is taken by auditors to any member or officer in their individual capacity, or to any third party.

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# Audit of Accounts

- 1 As your statutory appointed auditor I reported my audit opinion on the Statement of Accounts on 27<sup>th</sup> October 2009. I gave an unqualified opinion on your accounts.
- 2 The Local Government (Northern Ireland) Order 2005 requires that in auditing accounts a local government auditor must by examination of the accounts or otherwise satisfy himself that:
  - (a) they are prepared in accordance with regulations;
  - (b) they fully comply with the requirements of all other statutory provisions applicable to the accounts;
  - (c) proper practices have been observed in the compilation of the accounts; and
  - (d) the body whose accounts are being audited has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources.

## *Matters arising from the final accounts audit*

- 3 The published accounts are an essential means by which the Council reports its stewardship of the public funds at its disposal and its financial performance in the use of those resources. The Council's annual accounts were signed by the Chief Financial Officer on 18th June 2009 and members of the Risk Management & Audit Committee approved the accounts on 23rd June 2009 which was within the statutory guidelines which requires this to be completed by 30 June. Following material adjustments from the audit and the availability of additional information the accounts were authorised for issue by the Chief Financial Officer on 22<sup>nd</sup> October 2009.
- 4 The most significant adjustments to the accounts made as a result of our audit findings during our audit and the availability of additional information were as follows:
  - The accounts were revised to show separately the land and buildings revaluation gains and losses amounting to £17,404,598 of a gain and £1,923,087 of a loss. In the accounts dated 23<sup>rd</sup> June 2009 the loss had been incorrectly netted off against the gains. This was a technical adjustment and there was no impact on the District Fund;

## Post Balance Sheet Event

- The accounts were revised to reflect the final sale agreed for the former abattoir site with some £8,400,000 being reflected through debtors and the capital receipts reserve (see paragraphs 39 and 40).

## *Financial standing*

- 5 The Council continues to have adequate financial management arrangements overall.
- 6 As a measure of prudence, a council should retain a sufficient balance in its District Fund to cover unexpected revenue expenditure or an unexpected drop in income in the foreseeable future. In recent years relevant examples of these include unforeseen costs associated with employment issues and reduced rates income from that estimated by Land & Property Services at the start of the year.
- 7 The district fund balance at £1,744,142 represents 9.54% of the net operating expenditure (excluding the additional receipts for sale of abattoir for £8.4m received post year end). As such the Council's financial standing would appear to be satisfactory. The average for the 26 Councils as at 31 March 2009 is 8.5%, based on the accounts presented for audit, (12.9% as at 31 March 2008).
- 8 It should be noted that the Council's accounts do not reflect debtors of unpaid rates at 31 March 2009. These are carried by the Land and Property Services (an agency of the Department of Finance and Personnel) in their Statement of Rate Levy and Collection. The Council is therefore vulnerable to later adjustment in respect of uncollectible rates. The Statement of Rate Levy and Collection was the subject of a Public Accounts Committee hearing on 18 September 2008 and report on 6 November 2008.
- 9 The "final penny product" finalisation adjustment for the year £156,393 was notified and adjusted for by the Council before the completion of the accounts. It should be noted that when the estimates for the year were prepared they were based on an "estimated penny product" and thus when final figures are received from Land and Property Services this can lead to additional funds or clawback adjustment.

## *District fund spending and balances*

- 10 The overall financial position remains stable. The Council increased by £201k the District Fund in 2008-09, leaving the District Fund balance at £1,744,142 as at March 2009. The increase was largely due to the following:
  - The penny product finalisation for 2007-08 was £68,931 more than expected;

- The finalisation clawback for 2008-09 was £104,999 as a result of the Actual Penny Product being less than the Estimated Penny Product due to increased debt and collection costs;
- The Clawback for BT properties – resulting from appeals was £120,325 more than expected;
- Savings of £159,023 on landfill costs net of increased recycling costs;
- Reduced interest rates affected both debt costs and investment income with net gains of £340,525 being obtained; and
- Operating costs and financing of one-off recycling costs were £47,266 less than expected.

11 It is important that in preparing accounts the Council includes for all known liabilities and provisions in relation to committed events. In this regard preparation of the 2010-11 estimates and the accounts for 2009-10 and 2010-11 should include consideration of such topics as the outworking of single status, revenue contributions to capital in relation to any unfinanced capital expenditure and the early departure of staff not transferring to the new Council. I would also consider that Councils take into account the need for the new Council to have an opening capital position and thus discussion through the Transition Committee and any advice from the Department should be taken into account.

12 The District Fund surplus should be viewed in the context of unfunded capital expenditure noted at paragraph 14.

13 In addition, the Council has the following earmarked reserves :

<b>Funds</b>	<b>Balance at 31 March 2009</b>
Capital Fund	£2,564,986
Renewal & Repairs Fund	£nil
Capital Receipts Reserve	£12,441,890

14 The Capital Fund account is mainly used to meet the expected future costs of repaying market loans, and capital costs of the Community Centre.

## ***Capital Programme***

- 15 The Council has Fixed Assets totalling £61.68m with loans outstanding of £14.45m. As at 31 March 2009 the Councils Fixed Assets are fully financed.
- 16 The Statement of Accounts reports a future capital programme totalling £2.9m. I understand that the Council plans to fund this programme via Capital Receipts.

## ***Annual Governance Statement***

- 17 The Local Government (Accounts and Audit) (Amendment) Regulations (Northern Ireland) 2006 and DOE Circular No: LG/04/08 required Councils to conduct a review at least once in a financial year of the effectiveness of its governance framework (including its system of internal control) and then approve an Annual Governance Statement.
- 18 The Annual Governance Statement was approved by the Chairman on behalf of Risk Management & Audit committee on 23<sup>rd</sup> June 2009 having been signed by the Chief Executive on 18<sup>th</sup> June 2009. My opinion on the accounts includes the Annual Governance Statement. I am required to report if the Governance Statement is inconsistent with the guidance provided by DOE or if disclosures in the Statement are inconsistent with my understanding of the Council. I noted no Governance Statement matters in my report but paragraph 26 of this Audit Letter includes matters I considered.

## ***Internal Audit***

- 19 The Local Government (Accounts and Audit) (Amendment) Regulations (NI) 2006 also required Councils to maintain an adequate and effective system of internal audit and to conduct a review at least once in a financial year of the effectiveness of its system of internal audit. The Council has an in-house Internal Audit Service. The council reviewed the effectiveness of its system of internal audit and the findings of the review were considered by the Risk Management & Audit Committee on 23<sup>rd</sup> June 2009.

## ***Revaluation of Land and Buildings – 2008-09 Accounts***

- 20 The Council instructed the District Valuer to revalue the council's land and buildings at 1 April 2008 for the 2008-09 accounts. The accounting for these revaluations were examined as part of the audit and no issues were identified.

## ***Transition to International Financial Reporting Standards (IFRS)***

- 21 In central government, International Financial Reporting Standards (IFRS) apply to the 2009-10 accounts and the Central Government 2008-09 accounts were prepared for the last time on the UK Financial Reporting Standard basis. In preparation for the change the 2008-09 accounts of Central Government have been prepared again on a shadow IFRS basis in September 2009 with an audit review to be undertaken before the end of December 2009.
- 22 For Local Government the change to IFRS will take place a year later (i.e. from 2010-11). The Chartered Institute of Public Finance Accountancy (CIPFA) issued a Local Authority Accounting Panel (LAAP) Bulletin 80 in March 2009 on the implementation of IFRS. This included a Project Plan with key steps and dates. The DoE commissioned CIPFA (NI) to provide training and support to local government bodies in Northern Ireland to help take forward IFRS issues. A series of training days will be held in late 2009 and early 2010. A new IFRS - based Code of Practice on Local Authority Accounting which will apply to local authority accounts from 1 April 2010 is being developed by CIPFA. As was the case in Central Government, Councils will be required to re-state their final UK Financial Reporting Standard based accounts (2010-11) on an IFRS basis and have this subject to audit review.

# Council Performance

## *Scope of my audit*

- 23 My audit is conducted in accordance with a Code of Audit Practice (the Code) issued by the Chief Local Government Auditor. The Code prescribes the standards, procedures and techniques which comprise a local government audit. The Code notes that due to the special accountabilities attached to public money and the conduct of public business:

*“the scope of auditors’ work is extended to cover not only the audit of financial statements but also aspects of corporate governance and arrangements to secure the economic, efficient and effective use of resources.”*

- 24 Throughout the public sector the economic, efficient and effective use of resources is known as Value for Money (VFM). More particularly in the context of the Local Government (Best Value) Act (Northern Ireland) 2002 “a council shall make arrangements for continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness”. Part of the way Councils monitors this is by benchmarking aspects of its financial data against other Councils and this information is also provided to the Department of the Environment.
- 25 A review of the council’s corporate governance and VFM arrangements for 2008-09 was carried out separately from the audit of the accounts. The finding from the review was included in my audit file and a summary report, prepared for me, was copied to the Chief Executive. I used this information, together with information obtained during the course of the audit of the accounts, to examine the Governance Statement.
- 26 The Council noted the following in its Governance Statement as significant governance issues:
- To review the governance in place for the large number of partnership arrangements to address any shortfalls;
  - To address the progression of business continuity arrangements at a corporate level;
  - To finalise the scheme of delegation; and
  - The impact of amalgamation with North Down Borough Council as a result of the Review of Public Administration.

- 27 I noted the following additional issues from the corporate governance and VFM arrangements review:
- The Council had no separate policy document for the acceptance of gifts and hospitality at the time of preparing the accounts but has since that time drafted a policy.

## **Absenteeism**

- 28 The Chief Local Government Auditor may, in accordance with the Local Government (Northern Ireland) Order 2005, undertake and publish studies which examine the provision of services by local government bodies. A study of absenteeism in Northern Ireland councils was completed in respect of 2007-08 and published in January 2009. Similar absenteeism reviews had been undertaken for several years by the Chief Local Government Auditor. This data enabled the 2007-08 report to address absenteeism performance beyond that year for each council, and for the sector as a whole.
- 29 A 2008-09 absenteeism study is due to be published in December 2009. In this the Chief Local Government Auditor will analyse absenteeism for each council over the three year period (2006-07, 2007-08 and 2008-09) and will derive an average annual absenteeism rate for this period. This analysis counters the impact of annual fluctuations in absenteeism which would distort the findings, particularly within smaller councils.
- 30 The Chief Local Government Auditor recommends that councils monitor their absenteeism regularly as part of an ongoing process of absenteeism management. To facilitate this I attach Annex A which contains the most recent absenteeism rates for your Council. This includes annual rates of absenteeism for the last six years and the three-yearly absenteeism rate for the period ending 31 March 2009 which will be included in the Chief Local Government Auditor's 2008-09 report.
- 31 The 2008-09 absenteeism figure for the Council is 14.10 days. This represents an increase of 0.81 days on the previous year. This contrasts with the majority of Northern Ireland councils where 2008-09 absenteeism rates have fallen.
- 32 Ards Borough Council's three-year absenteeism rate has fallen by 0.06 days from 13.65 days in 2003-06 to 13.59 days in 2006-09 and is slightly higher than the Northern Ireland average for this latter three year period.

### ***Waste Minimisation and Recycling***

- 33 The DoE, as Allocating Authority under the Waste and Emissions Trading Act 2003, allocates Biodegradable Municipal Waste (BMW) allowances to district councils for the amount of waste which can be sent to landfill. The Council's allowance for the year was 27,695 tonnes and the volume of waste disposed of to landfill was 21,156 tonnes.
- 34 The Landfill Allowance Scheme (NI) Regulations 2004 place a statutory responsibility on district councils, in each scheme year, to landfill only the quantity of BMW they have allowances for. To exceed this may result in financial penalties of £150 per tonne of exceeded allowance (Landfill Allowance Scheme (Amendment) Regulations (Northern Ireland) SR 2005/588).
- 35 While there is some provision for the re-allocation of allowances, the Council needs to give careful consideration as to the risk of incurring penalties under the scheme.

### ***Payment of invoices***

- 36 In November 2008 the Minister at the Department of Finance and Personnel reduced the target for the payment of invoices by the public sector from 30 days to 10 days. This was to assist small business in the changed financial circumstances prevailing, thus assisting businesses with their cash flow.
- 37 While district councils have not yet been formally required to comply the Council is encouraged to review its arrangements in this regard and to have in place steps for measurement against such a target.

### ***Equality***

- 38 The Council has an established Equality Scheme and Policy and has developed a process for undertaking equalities impact assessments of its strategies so that it understands the likely impact on its diverse population. Council has confirmed that no equality scheme impact assessments were carried out during this financial year.

## Other Audit Work

### Land Sale Transaction – Former Abattoir Site

- 39 In paragraph 4, I have noted in the 2008-09 Financial Statements the inclusion of the £8.4m sale of the Council's former abattoir site. I have been following this matter for some time with particular concern as to the Council's tendering process when the site was first placed on the market in 2004. I have ensured that the sale has been correctly included in the 2008-09 Financial Statements but have not, as yet, updated my review of all aspects of the Council's handling of the sale.
- 40 Given the period of time involved, and the large sum that the sales proceeds involves, I am considering preparing a public interest report in accordance with the Local Government (Northern Ireland) 2005 Order on this matter.

### Joint Committee

- 41 The Council is a member of the Arc21 Joint Committee which is established for the purposes of managing waste. During the year the Council advanced £2.4m towards funding the expenditure of the Joint Committee.
- 42 The Joint Committee is a partnership of eleven councils established to collaborate in implementing the Waste Management Plan to develop an integrated network of regional waste management facilities which would be cost effective to the public. Total expenditure by the Committee for the year was £27.1 million and the Committee's Accounts identify longer term capital expenditure plans in relation to the Residual Waste Treatment project. Arc21 expect to in a position to acquire land and property for the construction of facilities to provide the necessary waste treatment services. Such acquisitions will be subject to independent valuations undertaken by the Land and Property Services Agency of the Department of Finance and Personnel and will be accounted for in the relevant financial year.
- 43 The Joint Committee accounts for its funding by the provision of a statement of accounts which is prepared under the Local Government (Northern Ireland) Order 2005 and subject to statutory audit by a local government auditor.
- 44 The Council also participates in Joint Committees for the purpose of delivering programmes funded by the European Union. Under this arrangement Peace III and INTERREG IVA funding will be available from the Special EU Programmes Body and the Department of Agriculture and Rural Development through to 2013. It is anticipated that a statement of accounts for the Joint Committee will be prepared for 2009-10.

## District Policing Partnership (DPPs)

- 45 Under the Police (Northern Ireland) Act 2000, DPPs have been established by each district council. The Policing Board for Northern Ireland provide a grant equal to three-quarters of approved DPP expenses. The set-up arrangements provide for DPP expenditure to be audited annually by Local Government Auditors.
- 46 The 2008-09 DPP audit, comprising expenditure of £152,135, and after 75% funding from the Northern Ireland Policing Board resulting in a net cost to Council of £45,321, was completed in June 2009.

## Grant Claims

- 47 The Chief Local Government Auditor in accordance with Article 25 of the Local Government (Northern Ireland) Order 2005 has made arrangements for the certification of local government body grant claims. These arrangements, which are not an audit but a different form of engagement designed to provide reasonable assurance, apply where their application has been agreed with the grant paying body. The key principle is that the certification of grant should be proportionate to the amounts involved and the associated risks. Specifically financial thresholds apply and grants below £25,000 are not examined.

## Looking Ahead

- 48 The Environment Minister in March 2008 announced as part of the Review of Public Administration in Northern Ireland that the current 26 council areas will be rationalised to create 11 new council areas. The Minister also outlined the functions to transfer to local government.
- 49 It is currently anticipated that a new council, incorporating Ards Borough Council will come into effect in May 2011. In moving towards this the Council participates in a Transition Committee (legislation anticipated to give it a statutory footing) with officers working in a Transition Management Team, to take forward the change process.

## Conclusion

- 50 This Audit Letter has been discussed and agreed with the Chief Executive and Director of Corporate Services.
- 51 The Council has taken a positive and constructive approach to our audit. I would like to take this opportunity to express our appreciation for the council's assistance and co-operation.

Denver Lynn

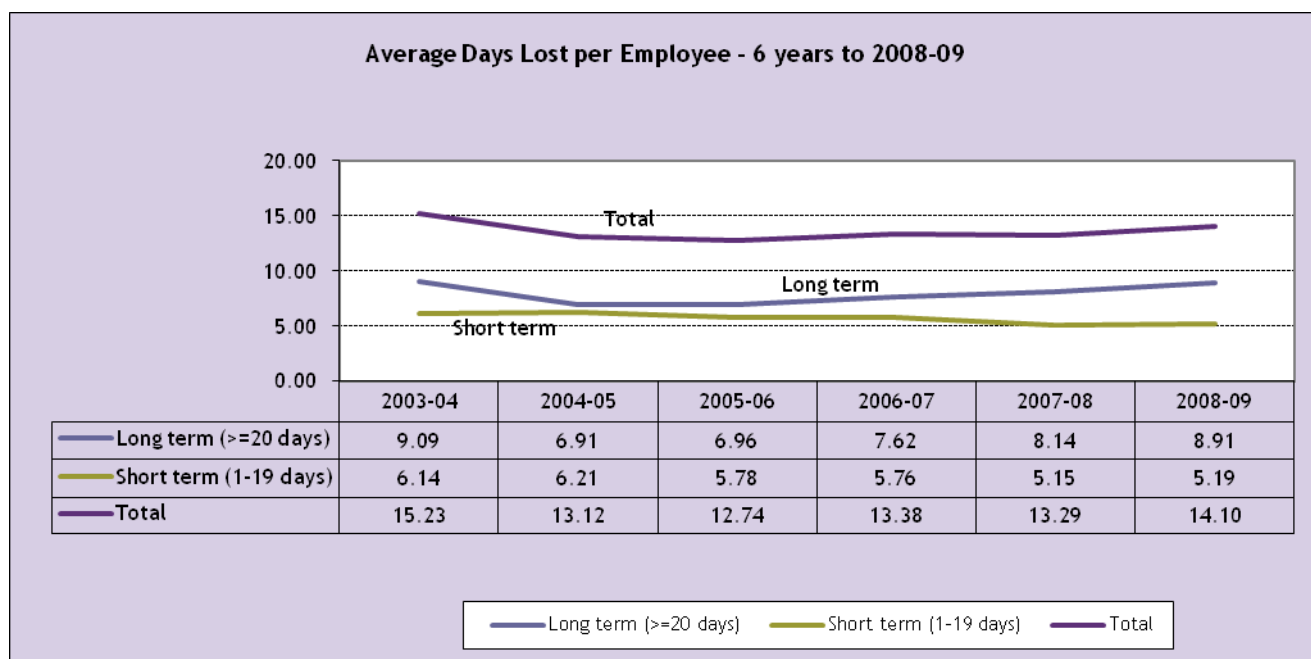
Deputy Chief Local Government Auditor

November 2009

## Ards Borough Council Absenteeism

### Annual Absenteeism

The chart below tracks absenteeism for the 6 years to 2008-09 for total days lost per employee.



### 2008-09 absenteeism compared to Northern Ireland councils as a whole\*

	Ards	NI Councils	Variance	Variance %
Average total days lost per employee	14.10	12.43	1.67	13%

### 3-year absenteeism (2006-09) compared to Northern Ireland councils as a whole\*

	Ards	NI Councils	Variance	Variance %
Average total days lost per employee	13.59	13.31	0.28	2%

\* The Northern Ireland Council position is derived from figures as at 4th November 2009. Final Figures will be included in the Chief Local Government Auditor's report on Absenteeism in Northern Ireland Councils 2008-09.