

Stage 2 Guidance

Large Casino Application Pack



Purpose

This guidance note informs potential applicants of the procedure and rules of stage 2 of the application process in compliance with section 5.21 of the Code of Practice.

It is published to conform to the requirements set by Parliament and the Secretary of State and to ensure an application process which is both transparent and fair. Applicants are required to comply with the procedure as set out in this guidance note.

The Stage 2 Procedure

In general, the stage 2 procedure will follow the Code of Practice. However the Code leaves individual authorities to determine the detail of their own procedure.

Should more than one applicant pass through stage 1, the process will proceed to the second stage, with each applicant being invited to submit information about how their application would, if granted, benefit the area.

The stage 2 procedure that the council will utilise has been determined by the council to ensure fairness, equality between applicants and transparency; and also to secure the maximum benefits from the process for the Leeds metropolitan area, in order to achieve the principles detailed in the council's Gambling Act 2005 Statement of Licensing Policy 2010-2012 (sections 16.5 to 16.55). In particular, the stage 2 procedure will seek to ensure that the following principles are achieved:

Financial To seek to maximise the financial return to the council.

Social To use any financial return accrued to facilitate the delivery of programmes and projects that support the Council's social and economic inclusion agenda, for the benefit of the Leeds metropolitan area.

Economic To secure a positive and significant economic impact for the local economy through the provision of a Large Casino in Leeds.

The procedure will include a number of 'phases'. Details of each phase and directions to further information are explained below. The Public Contracts Regulations 2006 do not apply to this procedure.

The phases of the stage 2 procedure are as follows

| Phases | Notices issued to applicants |
|--|--|
| Invitation to participate in Stage 2 | Notice 1 – successful stage 1 applicants asked to confirm that they will submit a stage 2 application |
| Application Stage | Notice 2 - applicants who have confirmed they intend to apply advised when the application stage will commence and the deadline for submissions of the stage 2 application |
| Initial Assessment and Validation – Review Stage | The Advisory Panel may seek to clarify with applicants, via SCMS, all aspects of their application |
| Dialogue Stage | Notice 3 – an invitation for applicants to participate in dialogue sessions with the Advisory Panel |
| Final and Best Application Stage | Notice 4 – a notice outlining the closure of the dialogue and submission date by which final and best application to be received. |

| Phases | Notices issued to applicants |
|--|---|
| Final and Best Application: Evaluation by Advisory Panel | The Advisory Panel may seek to clarify with applicants, via SCMS, aspects of their application. Draft evaluation reports will be issued to applicants |
| Licensing Committee | Notice 5 – applicants informed Licensing Committee will meet to discuss applications |
| Finalisation of schedule 9 agreement | Notice 6 – issued to the preferred applicant that negotiations to finalise the schedule 9 will commence |
| Licence granted | All applicants will be informed of the outcome |

Invitation Stage

The council will initiate the stage 2 procedure by issuing a notice to each successful stage 1 applicant informing them that they have been invited to submit an application for stage 2 (Notice 1).

Applicants will be asked to complete a form, within 7 working days, confirming that they will submit a stage 2 application. At this stage, potential applicants will also be asked to provide named contacts where communications about and during stage 2 should be communicated.

Once confirmation is received from applicants wishing to make an application, the council will then communicate with each applicant informing them of the date the application stage will commence (Notice 2).

The council makes no guarantee that stage 2 will immediately follow stage 1 and timings will be finalised once stage 1 is concluded. An indicative timetable is provided in this document and in general information.

Application Stage

Once the Stage 2 application stage commences (as per the date detailed in Notice 2), applicants will be required to prepare and submit a stage 2 application. This must comply with, and follow, the requirements set out in the application pack document entitled 'Stage 2 Evaluation Methodology'. This document details for each criterion, the type of information required, the format it is to be presented in and provides further information on the council's requirements.

Applicants must:

- Provide all information requested in the 'Stage 2 Evaluation Methodology'
- Provide all information in the format requested in the 'Stage 2 Evaluation Methodology'
- Follow all instructions and take account of all information detailed in the 'Stage 2 Evaluation Methodology' when making their application.
- Complete the template schedule 9 agreement, and detail the benefits the applicant will make a contractual obligation to deliver and proposed payments for non delivery.

Failure to comply with the bullet points above will affect the evaluation and may have a negative impact on scores given to applications. In order to maximise marks and demonstrate benefit to the Leeds metropolitan area, applicants **should examine and comply with the Stage 2 Evaluation Methodology at all times.**

During the period where the application phase is open, a 'Request for Information' procedure will be implemented. This procedure (appendix 1) outlines how:

- applicants can raise questions or request clarification
- applicants can communicate with the council
- the council will respond to queries

For the avoidance of doubt, applicants will be provided details of named council contacts who will be authorised to communicate with applicants throughout stage 2. Applicants must only take into account **written** information directly provided by the named contacts and must only take into account information transmitted through this procedure.

The council will not respond, nor will any response be provided, to queries seeking comment on the merit of an application, nor will it provide any comment on the merit or status of other applications. The council will offer no response to comments applicants may make with regard to other applications and nor will it take them into account as part of the evaluation process.

During the stage 2 application stage (and indeed all other phases), applicants must not publicise their plans or make public statements about their involvement in the stage 2 process.

The council will not undertake public consultation on applications received during stage 2, and applicants are requested not to canvass for local support during the stage 2 process.

When the application stage opens applicants will be provided, in Notice 2, with details on the deadline by which their initial application must be submitted

This is likely to be eight working weeks from the date Notice 2 is issued. Stage 2 applications must be submitted by the deadline communicated through the council's supplier and contractors management system (SCMS) [see appendix 2 for details].

By submitting the application, applicants will be demonstrating how their bid, if successful would bring the greatest benefit to the Leeds metropolitan area. Applications therefore should be of high quality. All applications must be in English and any financial references must be in Pounds Sterling. The council does not wish to set a word limit on the applicants' responses but in order to facilitate the process and keep costs to a minimum, applicants are encouraged to provide succinct answers to the questions raised.

In addition to submissions through the SCMS system, the council will require the submission in the following forms:

- 10 CD copies to be submitted to xxxxxx
- 5 printed versions to be submitted to xxxxxx

Initial Assessment and Validation – review period

After receipt, each application will be checked for compliance with the application instructions and for completeness with the requirements of the council detailed in the Evaluation Methodology. No applications will be scored at this stage.

At this point, the Advisory Panel will, for each application:

- identify areas where clarification, refinement, supplementation, alteration is required to maximise the benefits for the Leeds metropolitan area
- note the areas where application instructions have not been complied with
- undertake assessment of gross economic figures to identify the net economic impact of proposals, as detailed in sub-criteria 2.2.1.
- undertake a review of the completed schedule 9 template

During the review period, the council may contact applicants, through the SCMS system, to call for more information or to clarify aspects of the application to assist the Advisory Panel during the review period. It is anticipated that the review period will take around four weeks to conclude.

Dialogue Stage

Following the 'initial assessment and validation – review period', applicants will be invited to attend and participate in Dialogue Sessions (notice 3). The meetings will be an opportunity for dialogue on the application in order for applicants to refine, supplement or otherwise alter their application in order to maximise the benefits to the council's area. This period provides an opportunity for enhancements to be made to applications.

The topics discussed at each meeting and the number of meetings taking place will depend upon the clarifications required and the nature of clarifications. All applicants will have the opportunity to have equal amounts of meeting time with the Advisory Panel during the clarification period.

Table 1 offers some guidance as to the nature of discussions that may take place and the format of the sessions. Primarily, discussion will be focussed around the evaluation criteria and the information requested in the Stage 2 Evaluation Methodology. Applicants should pay particular regard to the

requirements set out in the Evaluation Methodology at all times and clarifications will be focussed on applicant responses to the Evaluation Methodology.

During the dialogue sessions, the council will share with each applicant the initial assessment of its application showing the calculations of net economic impact and will seek to agree the net impact of the proposals with each applicant.

Dialogue Sessions Outline

For Financial Contribution

- ◆ Council outlining what they expect from the applicants
- ◆ Applicant outlining what they provide by way of financial contribution to maximise benefit to the Leeds metropolitan area
- ◆ Questions from council to clarify, with view of applications being refined, supplemented or otherwise altered to maximise benefits for the Leeds metropolitan area.

Table 1

At each dialogue session:

- A member of the Advisory Panel will chair the meetings and discussion.
- Each applicant must not have more than five representatives in attendance.
- Minutes recording matters discussed at the session will be taken by council officers, and minutes will be circulated to the applicant within 8 working days of each session. The applicant will confirm agreement, or otherwise, as to the accuracy of the minutes within 2 working days. If no response is received from the applicant within this time the minutes shall be deemed to be agreed.
- The council will not provide any details on other applications; nor will it give any indication of the likelihood of an application being successful or otherwise.

At dialogue sessions, advisory panel members in attendance will:

- In line with the statement of licensing policy and stage 2 evaluation methodology, make clear the council's requirements for greatest benefit for the Leeds metropolitan area
- Provide applicants with an opportunity to explain the details behind their application and proposals to maximise benefit to the Leeds metropolitan area
- In line with information requested in the stage 2 evaluation methodology, highlight areas where information is missing
- Highlight those clauses in the completed schedule 9 agreement that the council require and the clauses inserted by the applicants that the council considers will not meet its requirements or require refinement.
- Discuss the commitments made by applicants in the schedule 9 agreement with view of maximising commitments made.
- Based on information collated in the review and validation stage, seek clarification from applicants on their application, with view of applications being refined, supplemented or otherwise altered to maximise benefits for the Leeds metropolitan area
- Discuss enhancements to the applicant's offer.
- Share assessments demonstrating the net economic impact of contractually committed development proposals

The Advisory Panel will not:

- Share any information with individual applicants on the contents of other applications
- Give more information to one applicant than another when clarifying and when communicating the council's requirements.
- Compare one application to another
- Give a response to comments made by applicants on other applications nor will it take them into account
- Provide a response to queries seeking comment on the merit of an application or other applications
- Indicate what score may be given to an application
- Respond to queries questioning whether the applicant's response will score highly or lowly
- Tell applicants how to specifically improve their application, but will instead ask questions to clarify on areas where the Advisory Panel is of the view further clarification, refinement and supplementation is required to help maximise benefit to the Leeds metropolitan area and seek to ascertain whether the applicant is prepared to enhance any aspects of its bid.

All applicants must respect this and not ask questions that compromise this process.

Once the Advisory Panel is satisfied that applicants have had suitable opportunity to clarify or enhance their application with view of it being refined, supplemented or altered to maximise benefit to the Leeds metropolitan area, dialogue on a particular topic will cease. Applicants should note conclusion of dialogue by the Advisory Panel on a topic is not the same as the council being satisfied that the application will meet requirements.

The purpose of dialogue sessions is to gain clarification and enhancement of the bid with a view to maximising benefit and is not to inform applicants of the likely merit of their application. Applicants must consider at all times how their application can be enhanced, refined or supplemented throughout the process of their own accord.

Where matters raised in the dialogue phase by either an applicant or by the council are deemed to affect all applications, the council will share information (the query and the response) to all applicants to ensure one applicant is not favoured over another to ensure all applicants have equal access to information that may affect future evaluations.

During the period where the clarification and enhancement phase is open, a 'Request for Information' procedure will remain. This procedure (provided in appendix 1) outlines how:

- applicants can raise questions or request clarification
- how the council will communicate clarification requests outside of meetings
- the council will respond to queries

The council anticipate that the dialogue phase will last approximately 4-8 weeks. This period may be shortened or extended at the council's discretion. Applicants are required to be fully flexible as to their availability during this period.

Final and Best Application Stage

Two weeks before the end of the dialogue period, the council will issue a notice to each applicant informing them when the dialogue period will end (notice 4). This notice will inform applicants of a deadline whereby applicants must submit their final and best applications to the council.

The date will be known as the final and best application deadline. There will be **no** opportunity to improve the application after this deadline. For avoidance of doubt, the final and best application must be the best offer the applicant will commit to deliver and must be the final proposal to maximise benefit to the Leeds metropolitan area.

Final and best application can take the form of a resubmitted application incorporating all amendments applicants wish to make, or an addendum or a schedule of changes to the initial full and complete application. Any changes must be clear and easy to understand.

The final and best application should be submitted through SCMS.

In addition to applications submitted through the SCMS system, the council will require the submission in the following forms:

- 10 CD copies to be submitted to xxxxx
- 5 printed versions to be submitted to xxxxxx

Final and Best Application: Evaluation by Advisory Panel

Following receipt of the final and best applications, the Advisory Panel will, in line with their Terms of Reference and the Stage 2 Evaluation Methodology:

- undertake a review of all information submitted to check for compliance with the Evaluation Methodology. At this point, the council may issue questions to applicants seeking clarification where an element of the application is unclear. Applicants can not, however, at this stage make any improvements to their application and will only be able to clarify points.
- undertake a full evaluation of the final and best applications
- provide a recommended score for each application against the scoring matrix.

In the event of the same final score or a score within 2% of the highest score the council will:

- ♦ Check the scores
- ♦ Remove rounding
- ♦ Review all aspects of the evaluation undertaken to ensure that the scores given by the Advisory Panel are correct.

Following evaluation, the Advisory Panel will then produce a draft qualitative and quantitative report on each application. The draft report will be sent to the applicant so that they have the opportunity to outline what they see as factual errors. The applicant will not be able to enhance their application at this stage. Any new or further factual information submitted by the applicant at this time will be returned to the applicant.

The Advisory Panel will then prepare its final report, which will be sent to the Licensing Committee. At this stage, the council will issue Notice 5 to applicants informing them that the Licensing Committee will meet to discuss applications.

Licensing Committee Stage

The Licensing Committee will meet to discuss all the applications. As each of the applications will be compared to each other it will not be possible to permit the public to this meeting. Applicants will not be permitted to present to the Licensing Committee. Members of the Advisory Panel will attend the meeting to present details on each application and to answer questions Licensing Committee may have on the application.

The Licensing Committee will evaluate the applications, and consider the Advisory Panel Reports. It will rank the applicants in order of preference on the basis of benefit to the Leeds metropolitan area. The top ranked applicant will at this point become the 'preferred applicant'.

The Licensing Committee will issue a 'minded to grant' decision and instruct officers to legally complete negotiations on a schedule 9 agreement with the preferred applicant, instructing officers to report back within a set timescale. This negotiation will be undertaken by the council's legal advisors. At this stage, the council will issue a notice (notice 6) to the preferred applicant informing them of the minded to grant decision and that the council will seek to finalise the schedule 9 agreement.

Finalisation of Schedule 9 Agreement

At this point, the council and its legal advisors will finalise the schedule 9 agreement with the preferred applicant.

Should the preferred applicant and the council be unable to come to an agreement under Schedule 9 of the Act, discussions will end and the Licensing Committee will instruct officers to negotiate with the second placed applicant. At this point the second placed applicant will become the 'preferred applicant'.

A requirement of the council is for a financial payment to be made upon the signing of the schedule 9 agreement. The council will accept a banker's draft or other form or method of payment from the applicant upon the signing of the agreement and will take payment once the licensing committee make their final decision.

Licence Granted

Once and if the schedule 9 agreement is signed and finalised, officers will report back to the Licensing Committee and the Premises Licence/Provisional Statement will be granted.

Once the Premises Licence/Provisional Statement is granted, the council will announce its decision to unsuccessful applicants and to the public. This will then conclude the stage 2 procedure.

Following the decision, the council will offer feedback to unsuccessful applicants if requested to do so.

Indicative Timetable

The following indicative timetable provides an early indication as to the timescales of the stage 2 procedure.

| Activity | Date |
|--|----------------|
| The applicants will submit information required by the Stage 2 Evaluation Methodology demonstrating how their application, if granted, would be likely to result in the greatest benefit to the council's area. | June 2012 |
| Initial review of applications by Advisory Panel | August 2012 |
| Dialogue meetings Applicants will be invited to participate in dialogue with the council in order to refine, supplement or otherwise alter their application in order to maximise the benefits to the council's area. | September 2012 |
| Applicants will respond to the dialogue with a final and best application | November 2012 |
| Advisory Panel's evaluation reports presented to Licensing Committee | December 2012 |
| Selection of preferred applicant and final negotiation of Schedule 9 agreement. | December 2012 |
| Grant of licence | December 2012 |

The council reserves the right at any time:

- To issue amendments or modifications to the Stage 2 Evaluation Methodology or to the Stage 2 Procedure
- To alter the timetable during the stage 2 process

Disclaimers

By submitting a stage 2 application, all applicants automatically and without dispute, agree to the following terms:

Conflict of Interest

The applicant shall notify the council immediately upon becoming aware of any possible conflict of interest which may arise between the interests of the council . The applicant shall take all reasonable steps to remove or avoid the cause of any such conflict of interest to the satisfaction of the council.

Corrupt Gifts and Payments of Commission

The applicant shall not:

1. offer or give or agree to give any person employed by the council or acting on its behalf any gift or consideration of any kind as an inducement or reward for doing or forbearing to do or for having done or forborne to do any act in relation to the obtaining of their application or for showing or forbearing to show favour or disfavour to any person in relation to their application; nor
2. submit an application if in connection with it commission has been paid or agreed to be paid to any person employed by the Council or acting on its behalf by the applicant or on the applicant's behalf or to the applicant's knowledge, unless before the application is made particulars of any such commission and of the terms and conditions of any agreement for the payment thereof have been disclosed in writing to the Council.

Confidentiality

The Council and the applicant: -

1. shall treat all confidential information belonging to the other party as confidential and safeguard it accordingly; and

2. shall not disclose any confidential information belonging to the other party to any other person without the prior written consent of the other party, except to such persons and to such extent as may be necessary for the evaluation of the application or except where disclosure is otherwise expressly permitted under the stage 2 procedure .

The applicant shall take all necessary precautions to ensure that all confidential information obtained from the council under or in connection with the stage 2 procedure: -

1. is given only to such of the staff and professional advisors or consultants engaged to advise it in connection with the application as is strictly necessary for the completion of the application and only to the extent necessary for the completion of the application;
2. is treated as confidential and not disclosed (without prior approval) or used by any staff or such professional advisors or consultants' otherwise than for the purposes of completion of the application.

Where it is considered necessary in the opinion of the council, the applicant shall ensure that staff or such professional advisors or consultants sign a confidentiality undertaking before commencing work in connection with the application.

The applicant shall not use any confidential information received otherwise than for the purposes of completing the application.

The provisions of Clauses 3.1 to 3.4 shall not apply to any confidential information received by one party from the other:

1. which is or becomes public knowledge (otherwise than by breach of this condition);
2. which was in the possession of the receiving party, without restriction as to its disclosure, before receiving it from the disclosing party;
3. which is received from a third party who lawfully acquired it and who is under no obligation restricting its disclosure;
4. is independently developed without access to the confidential information; or
5. which must be disclosed pursuant to a statutory, legal or parliamentary obligation placed upon the party making the disclosure, including any requirements for disclosure under the FOIA, or the Environmental Information Regulations pursuant to Condition 4 (Freedom of Information) or
6. where the receiving party is the council and the confidential information is or is related to an item of business at a meeting of the council or of any committee, sub-committee or joint committee of the council or is or is related to an executive decision and it is not reasonably practicable for that item of business to be transacted or for that executive decision to be made without reference to the confidential information PROVIDED THAT where the confidential information is exempt information within the meaning of section 10I of the Local Government Act 1972 (as amended) the council shall consider properly whether or not to exercise its powers under Part V of that Act or (in the case of executive decisions) under the Local Authorities (Executive Arrangements) (Access to Information)(England) Regulations 2000 as amended to prevent the disclosure of that confidential information and in so doing shall give due weight to the interests of the applicant and where reasonably practicable shall consider any representations made by the applicant.

Nothing in this condition shall prevent the council disclosing any confidential information for the purpose of: -

1. the auditing examination and certification of the council's accounts; or
2. disclosing any confidential information obtained from the applicant: -
 - a. to any department, office or agency of the council or to any regulatory authority or body; or
 - b. to any person engaged in providing any services to the council for any purpose relating to or ancillary to the application;

3. provided that in disclosing information under sub-paragraph (b)(i) or (ii) the council discloses only the information which is necessary for the purpose concerned and requests that the information is treated in confidence .

Nothing in this condition shall prevent either party from using any techniques, ideas or know-how gained during the application process in the course of its normal business, to the extent that this does not result in a disclosure of confidential information or an infringement of intellectual property rights.

Freedom of Information Act 2000

The applicant acknowledges that the council is subject to the requirements of the FOIA and the Environmental Information Regulations and shall assist and cooperate with the council (at the applicant's expense) to enable the council to comply with these information disclosure requirements.

The applicant shall and shall procure that its sub-contractors shall:

1. transfer any Request for Information to the other party as soon as practicable after receipt and in any event within two working days of receiving a Request for Information;
2. provide the council with a copy of all information in its possession or power in the form that the council requires within five working days (or such other period as the council may specify) of the council requesting that information; and
3. provide all necessary assistance as reasonably requested by the council to enable the council to respond to a Request for Information within the time for compliance set out in section 10 of the FOIA.

The council shall be responsible for determining at its absolute discretion whether: -

1. the information is exempt from disclosure under , the FOIA and the Environmental Information Regulations;
2. the information is to be disclosed in response to a Request for Information, and
3. in no event shall the applicant respond directly to a Request for Information unless expressly authorised to do so by the council.

The applicant acknowledges that the council may, acting in accordance with the FOIA, the Local Government Act 1972 (as amended) the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended) or the Environmental Information Regulations be obliged to disclose Information: -

1. without consulting with the applicant, or
2. following consultation with the applicant and having taken its views into account.

The applicant shall ensure that all information produced in the course of making the application or relating to the application is retained for disclosure and shall permit the council to inspect such records as requested from time to time.

The applicant acknowledges that any lists or schedules provided by it outlining confidential information are of indicative value only and that the council may nevertheless be obliged to disclose confidential information in accordance with this clause.

Definitions

"Confidential information" means information, the disclosure of which would constitute an actionable breach of confidence, which has either been designated as confidential by either party in writing or that ought to be considered as confidential (however it is conveyed or on whatever media it is stored) including commercially sensitive information, information which relates to the business, affairs, properties, assets, trading practices, services, developments, trade secrets, Intellectual Property Rights, know-how, personnel, customers and suppliers of either party and all personal data and sensitive personal data within the meaning of the Data Protection Act 1998;

"Environmental Information Regulations" means the Environmental Information Regulations 2004;

"FOIA" means the Freedom of Information Act 2000 and any subordinate legislation guidance and/or codes of practice made or issued under this Act from time to time;

"Information" has the meaning given under section 84 of the Freedom of Information Act 2000;

"Requests for Information" shall have the meaning set out in FOIA or any apparent request for information under the FOIA, or the Environmental Information Regulations .

Publicity

No publicity or other information relating to this process is to be released by any applicant without the prior written approval of the council.

Council Liability

The council accepts no liability with regards to the grant of any licence or as to the actual amount of work included within any successful application. The council will not be responsible for, or pay, any losses or expenses which may be incurred by the applicant in the preparation and submission of their application, including (but not limited to) the attendance at any pre or post application meetings, the delivery of any presentations by the applicant to the council in relation to their application, site visits or other negotiations.

Use of personal data

Leeds City Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on your application for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Appendix 1: Applicant's Questions and Clarifications - Request for Information Procedure

Any questions or requests for further information, clarification or correction of any information must be submitted via the Request for Information (RFI) procedure outlined below. RFIs are to be submitted no later than 7 working days before the any given deadline provided in any notice given.

Questions and requests for clarification may only be made, and will only be entertained, if made via xxxx (xxxx@leeds.gov.uk). All emails are to be titled "Leeds Large Casino Bid: Request for Information."

Requests for Information Procedure

During set points of the stage 2 procedure applicants may submit questions and requests for clarification for further information. Applicants should note that during the stage 2 procedure and subsequent application they should not contact the council, employees or advisors or any third parties connected to the council, or the advisors to this application, outside of the process outlined within this section and elsewhere within this document.

Applicants should note and adhere to the following Request for Information procedure:

- Questions and requests for clarification must be made formally in writing through the preparation and submission of the Request for Information template included in Appendix 3.
- The council will use all reasonable endeavours to answer the RFI within 5 working days of receipt of the request.
- Questions and requests for clarification, and the corresponding responses, will be circulated to all applicants via the alito system, unless it is deemed that the matter is commercially sensitive to an applicant
- Applicants should indicate when submitting an RFI, whether or not they believe the query is commercially confidential to them and should not therefore be shared with other applicants.
- The council will not respond to RFI's received within 7 working days of any deadline.

The response to RFIs raised by applicants will be published via the Raise a Clarification section of the scheme reference (Insert reference number) on <http://scms.alito.co.uk>. These will be made public, where deemed relevant, to all applicants. If the clarification is specific to that applicant or their application or if it is deemed commercially confidential, it will be communicated only to the applicant raising the query.

If the council, wishes to clarify a matter throughout the evaluation period this will also be communicated via the alito system. Applicant should check the alito system on a regular basis.

Applicant Information

Except where the council considers that questions are not material to the application process and the fullest understanding of its objectives, such questions and their subsequent replies will be disseminated to all applicants.

Subject to this, the Council will keep confidential all information relating to its dialogue in relation to applications and will not share this information with any other applicant. Applicants should note that the council is a public body for the purposes of the Freedom of Information Act 2000 (the Act) and the Environmental Information Regulations 2004 (EIR) and that whilst they consider that information relating to the applications is confidential, they will be bound to treat applications for disclosure on their merits, although they will work with applicants in dealing with any requests for information made under the Act or EIR from third parties.

Applicants should note in relation to all responses to questions that the council offer no guarantee that such information in response to questions will be made available at this stage and are not warranting its accuracy.

Confidentiality of application during the dialogue process

The council acknowledges the need during the dialogue to treat applicants' applications confidentially. If during the process any questions asked of or information proposed to the council are considered by the applicant to be confidential (for example, on the basis that the request, response or information contains commercially confidential information or may give another applicant a commercial advantage) the request must be clearly marked "in confidence – not to be circulated to other applicants" or it must be highlighted to the council when having a dialogue meeting that such information must not be circulated

to other applicants. Applicants must set out the reason(s) for the request for non-disclosure to other applicants.

Appendix 2: How to make an electronic submission

Applicants are required to submit their Stage 2 application through the council's supplier and contractors management system (SCMS). The application pack is available on the leeds.gov.uk website, but it will also be available through SCMS.

How to register

Go to <http://scms.alito.co.uk> (please do not type in www before the address). Click the *Supplier/Contractors* link on the left of the screen and under the *New Users* heading click on *Register*. On the Self Registration page, complete all necessary data fields and click *Register*. The *Supplier Registration successful* page informs you that the initial registration process has been completed and an authentication email has been sent. Go to your email programme inbox and click on the link from SCMS. Enter your *username* and *password* and click *Login*.

How to search and download the application pack

Go to the website: <http://scms.alito.co.uk> and click *Supplier/Contractors* on the left of the screen. Login and click *Bulletin Board*.

Under *Search Criteria* enter the title "large casino application" in the *keyword or contract ID* field. Ensure that the *Matching Categories* field is set to ALL by clicking and selecting from the drop down option and click *Search*.

Under the *Tender* heading, click on the contract link and this will take you into the notice summary screen for the scheme in question. You will need to register your interest in the scheme by clicking *Register* on the right of the screen. Click *Continue*. The scheme information will be transferred to the *My Tenders* section of your profile to make future searching easier. Under the *Notice Summary* heading, click on the *View Full Notice including Documentation* link. All the applicable documents will be visible under the *Documentation* header.

How to submit your application

Go to the *My Tenders* link and scroll down the page until the "Large Casino" link is visible. Click on the link. Under the *What Next?* Header, click *Submit Documentation*. Click *Add* and the next screen allows you to attach your documents. Type in the title of the document you are submitting in the *Document Title* field. Click *Browse* and find the document you are wishing to submit. Click *open* and click *submit*.

You will receive confirmation on screen that your response has been submitted successfully. You will be given a receipt number for this response and at this stage you might wish to make a note of the number or print it out for further use. By clicking *Continue* you can confirm and view the documents you have submitted. To submit another document repeat these steps. You can also view and delete a document you have already submitted by clicking the *Review or Resubmit Tender Documentation* link.

Please note:

A limit of 10Mb per document applies when lodging an electronic submission via the council's supplier and contract management system (<http://scms.alito.co.uk>). Applicants will be unable to lodge an electronic application where the combined file size exceed 10Mb. Please note, however, that applicants may repeat the lodgement process as many times as is necessary to submit all the appropriate documents so long as the combined file size per lodgement does not exceed the stated 10Mb limit.

Signatures are still required when making an electronic application. Please note that the typing in of your name is sufficient for these purposes.

SCMS Help Desk - 0113 247 4001 or email scms@leeds.gov.uk

Applicants are advised to submit their applications well in advance of the deadline and not leave this until an hour or so before the deadline arrives. This will ensure that, if there are any technical problems with uploading your documents onto SCMS you will be able to make alternative arrangements for delivery. The consequences of missing the deadline is that the council is very likely to discount the application.

Appendix 3: Request for Information Template