Acquisition of new Property, Buildings, Land or Infrastructure Policy

3 November 2026

Version 1.0

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South East Technological University

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0.1	Reviewed by Policy Committee 21.10.26 minor amendments	0.2
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[1] Internal consultation with other departments within the University should be noted
[2] Other for instance staff representatives or other stakeholders

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1. Introduction

1.1. Purpose

This policy has been drafted to guide acquisitions of property, buildings, land, and infrastructure (as defined) by South East Technological University (the **"University"**) in line with the principles of good corporate governance and value for money to which it is subject.

The policy outlines the requirements on the University to comply with the policies (whether set out in codes, circulars, or any combination thereof) that may affect or relate to its legal capacity to purchase, or otherwise hold or acquire property, buildings, land, and infrastructure.

1.2. Scope

1.2.1. To whom does this policy apply?

This policy applies to all employees of the University and its subsidiaries, including the President, and/or any persons contracted by the University in connection with the acquisition of buildings, land, and infrastructure.

The Promoter (as defined) will usually be a member of the Executive Management Team, although the President may nominate/authorise another senior employee of the University to act in that capacity.

1.2.2. In what situations does the policy apply?

This policy applies to all property acquisitions, except where an explicit derogation has been received from the relevant regulatory and funding bodies. In such cases, the derogation, together with the alternative processes and required approvals, must be clearly documented. Full details must be reported transparently and in a timely manner to the University's Governing Body, and approval from the Governing Body to proceed must be obtained in all cases.

1.3. Definitions

1.3.1. Acquisition of new property, land, buildings, or other infrastructure

The acquisition of new property, land, buildings, or infrastructure is defined as being an acquisition of any or all of these that are not forming part of the University's current Property Asset Register. This policy does not apply to the acquisition of Intellectual Property, which is covered by the Intellectual Property Policy.

1.3.2. Infrastructure

Roads, footpaths, sewers, services, bridges, culverts, or power producing appliances not located within University owned lands.

1.3.3. Promoter

A member of the University's Executive Management Team or such other senior member of University staff as the President may nominate, who on the President's authority, is assigned the lead role in relation to any proposed acquisition of property, buildings, land, or infrastructure by the University.

2. Context

2.1. Legal and Regulatory Context

In applying this policy, regard must be had to the legal, regulatory and governance framework applicable to the acquisition of property, buildings, land, or infrastructure, including:

- Technological Universities Act 2018
- Higher Education Authority Act 2022
- Code of Practice for the Governance of State Bodies (2016)
- Circular 17/2016 Policy for Property Acquisition and for Disposal of Surplus Property, published by the Department of Public Expenditure NDP Delivery and Reform
- Infrastructure Guidelines (2023), published by the Department of Public Expenditure NDP Delivery and Reform
- South East Technological University Code of Governance (Interim - 2024)

3. Process for Property Acquisition

3.1. Promoter Report

A report to justify progression to the next stage of acquisition should be developed by the Promoter of the acquisition in conjunction with both the Estates and Finance Departments in accordance with the requirements of the Infrastructure Guidelines and the University's governance requirements referred to at paragraph 2.1 above. The Report should:

- Define the need;
- Quantify the costs and specify sources of funding;
- Identify the risks and mitigants where possible;
- Come to a conclusion on preferred option;
- Make a recommendation to the Governing Body.

3.2. Implementing the decision to acquire and early engagement of professional advice

Title

Title to be investigated by a suitably qualified legal person acting for the University. Title should ideally be held in fee simple, or where leasehold, the unexpired term should be of sufficient duration to safeguard the University's interest. Any lease should be examined for any restrictive covenants which would in any way affect the property to be acquired.

Planning

The relevant planning authority should be contacted to ascertain zoning and planning history of the proposed property to be acquired. It should be established whether any enforcement action has been threatened or issued in relation to the property. Where appropriate, it is recommended that a planning search of adjacent properties be carried out to establish any agreements, notices or planning objections that may affect the property.

VAT

Professional advice should be obtained on liability for VAT in respect of property transactions or activities.

Professional Reports

The following professional reports should be obtained for the acquisition of buildings or supplied in the case of new builds:

- Architectural Report, including a building survey
- Legal Due Diligence Report on title, boundaries, covenants, affected tenant leases, planning compliance etc.;
- Fire Engineers Report (if required);
- Mechanical and Electrical Engineers Report (if required);
- Structural Engineers Report (if required);
- Other reports from specialists as deemed necessary – such as Planning, Environmental, Asbestos, Mica, Pyrite;
- Two Independent Valuation Reports prepared by a professional property valuation surveyor in accordance with RICS Valuation - Global Standards (commonly referred to as Red Book Global Standards). One of these valuation reports may be prepared by the State Valuation Office if required by the HEA or DFHERIS;
- The above requirements may vary where acquiring a property which has still to be constructed and will be replaced by appropriate reviews of the planning, design and construction plans for the property.

Where the acquisition is proposed for land or infrastructure other than for buildings, relevant professional reports drawn from the list above should be obtained.

4. Report to Finance and Capital Investment Committee and the Governing Body

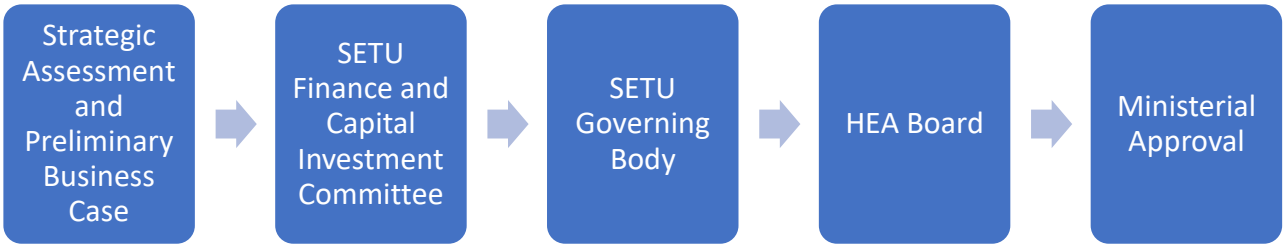
In order that the Finance and Capital Investment Committee (FCIC) can recommend, and the Governing Body have the required assurance to enable it to approve any proposed acquisition submitted by the Promoter, it must receive a report, consistent with the requirements of this document and the applicable legislation, codes, circulars, etc. (or any combination thereof) referred to at paragraph 2.1 above.

The report can take the form of the submission template (see **Appendix 1**) which requires the Promoter to confirm the following particulars:

- The date on which the proposed acquisition was submitted to the FCIC and the Governing Body for discussion / information, as the case may be.
- The date on which the proposed acquisition was submitted to the FCIC for recommendation and the Governing Body for approval and the date of the meeting at which the proposed acquisition will be considered.
- Summary overview of the proposed acquisition.
- High-level risks/opportunities.
- Property / Land/Infrastructure location (if relevant).
- Identity of the Promoter and particulars of the design team.
- Identity of the Vendor.
- Confirmation that the proposed purchase has been considered by the FCIC, if being submitted to the Governing Body.
- Whether there are any time sensitivities associated with the proposed acquisitions and if so the reasons for same.

5. Approval Stages

A summary of each stage of the approval process is summaries within the following flowchart:



6. Responsibility and Authority

The members of the University's Executive Management Team or such other senior employee as is or may be nominated/authorised by the President from time to time, to propose an acquisition.

The Capital Projects Manager is responsible for executing procedural elements of the policy, such as the procurement of professional reports and due diligence processes necessary to comply with best practice, Government directives, circulars, domestic or EU legal requirements for new acquisitions.

7. Appendices

Appendix 1 – (See below: Submission Template to Governing Body)

Submission to Governing Body

Title of Submission
Presenter of Submission/Executive Sponsor/Promotor
Submitted to FCIC for discussion/information (delete as appropriate)
Submitted to Governing Body for discussion/information (delete as appropriate)
Matter Reserved to Governing Body (reference Schedule of Matters)
Submitted to Governing Body for Decision – date of meeting
Summary Overview of Submission
High Level Key Risks/Opportunities
Recommendation (if submitted for decision of Governing Body)
It is recommended that the Governing Body approves……..

See overleaf for additional requirements for requests for approval of the purchase of property by the University:

Property Location
Property Description and Proposed Use
Executive Sponsor/Promotor and Team Members (e.g. Design Team)
Has the proposed purchase been approved by the FCIC? If not, why not?
Is the proposed purchase time sensitive, if yes, please explain why.