



**Broadcasting Authority of Ireland**

**THE BAI REPORT ON THE PROPOSED MERGER OF CMNL LIMITED**  
**("CMNL")**

**AND INDEPENDENT NEWS AND MEDIA HOLDINGS IRELAND**  
**LIMITED ("INM")**



# Broadcasting Authority of Ireland

## Introduction

On 16<sup>th</sup> January 2017, the Broadcasting Authority of Ireland (“BAI”) was requested by the Department of Communications, Climate Action and Environment (“the Department”) to perform a full media merger examination under the Competition Acts 2002-2014 (“the Act”) in respect of the proposed acquisition of CMNL by INM<sup>1</sup>. The request was accompanied by copies of the material submitted by the merging parties to the Department and a copy of the Phase One Examination Review Report (“Phase One Report”) prepared by the Department.

In accordance with the provisions of Section 28E(4) of the 2014 Act the BAI is required to make a report (“The BAI Report”) to the Minister with a recommendation on whether the proposed merger should be put into effect, with or without conditions, or whether the proposed media merger should not be put into effect by the Minister.

Section 28E(6) states that in order to make a report the BAI shall form a view as to whether the result of the media merger is likely to be contrary to the public interest in protecting plurality of the media in the State. The BAI Report and its recommendations present the views of the Authority on the proposed acquisition in the context of the statutory framework.

These views are set out hereunder and are structured as follows:

- **Section 1 The Statutory Framework**
- **Section 2 The Role of the BAI in this media merger examination**
- **Section 3 Context**
- **Section 4 Assessment of the proposed media merger**
- **Section 5 Conclusion and Recommendations**

A report entitled “The plurality implications of the proposed merger of INM plc/Celtic Newspapers Ltd” (“The Communications Chambers Report”) was commissioned by the BAI to inform its deliberations on this matter. This is attached as an Appendix to this document.

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<sup>1</sup> A wholly owned subsidiary of INM plc



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## Section 1 The Statutory Framework

The Act updated the statutory framework around mergers and acquisitions of media businesses. A new public value test was introduced, to be applied when a media merger is proposed. This public value test recognises the importance of media plurality in an open and democratic society. To that end, the Minister now has a statutory function to decide on whether a proposed media merger will be contrary to the public interest in protecting the plurality of media in the State.

The Act contains a number of definitions which are relevant to this report. Notably, “plurality of the media” is defined as including diversity of ownership and diversity of content. In addition, the Act sets out a number of tests to be applied under what are termed the “relevant criteria”. These criteria set out the context for examining the likely effect of a merger on plurality of the media in the State.

The Relevant Criteria are defined in the Act as follows:

- a) the likely effect of the media merger on plurality of the media in the State;
- b) the undesirability of allowing any one undertaking to hold significant interests within a sector or across different sectors of media business in the State;
- c) the consequences for the promotion of plurality of the media in the State of intervening to prevent the media merger or attaching conditions to the approval of the media merger;
- d) if appropriate, the adequacy of the following to protect the public interest in plurality of the media in the State:
  - (i) the scale and reach of RTÉ and TG4;
  - (ii) Part 6 of the Act of 2009;
  - (iii) the ownership and control policy of the Broadcasting Authority of Ireland for the time being in force;

Section 28L of the Act provides that the Minister may make guidelines on the general applicability of the Relevant Criteria to Media Mergers. The relevant guidelines for this transaction are the Guidelines on Media Mergers issued by the Department in May 2015 (“the Guidelines”). The Department also published a Media Merger Notification Form which provides the framework for submitting the required information to the Department.

Where media businesses (“undertakings”) propose to merge, firstly the Competition and Consumer Protection Commission (“the Commission”) or the European Commission makes an initial determination on competition grounds. Subsequently, if approved from a competition perspective, the undertakings make an application to the Minister, who then must apply the relevant criteria outlined in the Act and the Guidelines to assess whether, in his opinion, the media merger is likely to be contrary to the public interest



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in protecting plurality of the media in the State. After 30 working days the Minister makes a determination to:

- Approve the merger
- Approve the merger with conditions or
- Request the BAI to carry out an examination under section 28E of the Act (a full media merger examination)

In the event the BAI is requested to carry out a full media merger examination there is an 80 working day timeframe in which the Authority must issue a report to the Minister. This report must make a recommendation to the Minister and provide the BAI's view on the likely effect of the media merger on plurality of the media in the State.

The Minister then has a further 20 working days to make a final determination that the media merger may be put into effect; be put into effect with conditions or may not be put into effect.



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## Section 2 The Role of the BAI in this media merger examination

As outlined above, when asked to perform a full media merger examination the BAI is required to perform a more detailed investigation into the proposed media merger in order to come to a view on the likely effect on plurality of the media in the State. In coming to its view the BAI has regard to:

- a) The relevant criteria;
- b) The Department Guidelines on Media Mergers;
- c) Submissions provided by the public and the Joint Oireachtas Committee on Communications, Climate Action and Environment (“the JOC”);
- d) Submissions provided by the undertakings to the Minister during his initial examination and to the BAI itself;
- e) The determination of the CPCC;
- f) The opinion of the Advisory Panel;
- g) Relevant reports published by the Minister and the BAI under section 28M; and
- h) Responses of the undertakings to a draft version of The BAI Report and recommendation provided to them pursuant to section 28E(9).

On 10<sup>th</sup> November 2016, the Commission cleared the proposed acquisition on competition grounds. As CMNL and INM are media businesses, the undertakings subsequently applied to the Minister to make a determination on media plurality grounds. On 6<sup>th</sup> January 2017, the Minister formally requested the BAI to carry out a full media merger examination under Section 28E of the Act.

As per the terms of the Act, the BAI published the Minister’s request on [www.bai.ie](http://www.bai.ie) and simultaneously called for public submissions on the proposed media merger. In addition, the BAI invited a submission from the JOC and, at their request, provided a briefing to the Members of the Committee on 31<sup>st</sup> January 2017. The JOC subsequently held a public session on 7<sup>th</sup> February, attended by the undertakings, invited expert witnesses and relevant stakeholders. The BAI received 41 submissions from the public, including the undertakings, and a submission from the JOC by 14<sup>th</sup> February.

The Act also provides that the Minister may appoint an Advisory Panel (“AP”) to provide a reasoned opinion (“The AP Opinion”) to the BAI on the application of the relevant criteria to the media merger in question. In this case the Minister appointed a panel comprising Professor John Horgan, former Press Ombudsman; Ms Marie McGonagle, former NUI Galway lecturer on media law; and Professor Peggy Valcke, KU Leuven research professor in media law. The BAI provided the AP with copies of all the submissions received from the public and the submission received from the JOC. The BAI received the AP Opinion on 9<sup>th</sup> March.



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The BAI appointed UK-based independent consultants, Communications Chambers, to prepare a report (“the Communications Chambers Report”) under the relevant criteria and taking on board all the documentation listed in (a) to (g) in Section 2 above. The Communications Chambers Report is attached as an Appendix to this Report. It comprises an overview of the merging parties; a market analysis of the wider media context in Ireland; a contextual chapter on the test to be applied and an assessment of the merger against the Guidelines. The Communications Chambers Report concludes with a Section outlining the author’s views on whether the acquisition should be permitted under the plurality test in the Act.

Communications Chambers were the consultants appointed to support the BAI’s report on The Ownership and Control of Media Businesses in Ireland 2012-2014 which was published in 2016 in accordance with Section 28 M of the Act<sup>2</sup>. Other research published by the BAI in the context of Section 28M are the annual Reuters Digital News Reports in conjunction with FuJo in Dublin City University. The Reuters Digital News research project covers over 30 countries and tracks the rapidly evolving media environment with a particular focus on news consumption. The FuJo reports provides more detailed information on the situation in Ireland and they have filled a significant gap in the data set for this country.

The BAI notes the AP’s recommendation that further research on cross media consumption is required and its request for the BAI to consider this in the context of the implementation of its Strategic Plan 2017-2019. The BAI is committed to further developing its research activities in this area and will take on board the AP Opinion in this regard.

The Authority met on 16<sup>th</sup> March, 23<sup>rd</sup> March and 27<sup>th</sup> April to consider all the relevant material and formulate The BAI Report. A draft version of the BAI Report was provided to the undertakings as required by Section 28E of the Act on 27<sup>th</sup> March 2017. A response was received from the undertakings on 10<sup>th</sup> April 2017 and this was considered by the Authority in the context of making final decisions on the content of The BAI Report.

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<sup>2</sup> <http://www.dccae.gov.ie/communications/en-ie/Pages/Publication/Report-On-Ownership-and-Control-Of-Media-Businesses-In-Ireland-2012-2014.aspx>



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## Section 3 Context

The BAI recognises the range of complex challenges facing the traditional media sectors in Ireland including local/regional newspapers. This is reflected in the priority attached to Enhancing Innovation and Sectoral Sustainability the BAI's Statement of Strategy 2017-2019 published in February 2017. This reality was also reflected in many of the submissions received in the context of this examination process. The Communications Chambers Report, particularly Section 4, provides an overview of this situation with a specific focus on this proposed transaction. In summary, circulation numbers and advertising income for newspapers continue to fall as audiences move online.

The BAI notes that the Act and the Guidelines require the BAI to assess if the proposed merger will result in a person or undertaking holding an undesirable level of significant interests within a media sector or sectors in the context of the need to ensure plurality of the media in the State. In making this assessment the BAI is required to evaluate the impact of the proposed change in the context of the specific circumstances that pertain before and after the proposed merger. In addition, the BAI must be conscious of the consequences for the promotion of plurality of the media of intervening to prevent the media merger or proposing that conditions be attached to any recommendation for approval of the merger.

The BAI notes that the statutory structure provides that the determination of what would constitute an excessive level of significant interests is primarily a qualitative decision which relies on a range of quantitative and qualitative data. This data includes information on the shareholding interests of the parties involved and the relative influence of the relevant media outlets as measured by market share, readership etc. The relevant data for the transaction under consideration is set out in the Communications Chambers Report, particularly Section 3. As highlighted in the AP Opinion, the data set in relation to traditional and indeed online consumption of local/regional newspapers is not as robust as the data on national titles. While the BAI agrees that more robust data would be desirable, it is satisfied that the available data is sufficient for the consideration of this proposed transaction.

The BAI also notes that the statutory framework does not seek to ensure no absolute reduction in plurality, rather it seeks to prevent a qualitative threshold that would likely constitute an adverse impact on plurality being crossed. The assessment of this qualitative threshold is shaped by the relevant criteria in the Act. These relevant criteria need to be addressed individually but also taken collectively in reaching a conclusion. The BAI's analysis in Section 4 below deals with the proposal under each of these headings separately while the Conclusion and Recommendations in Section 5 present an overall view.

The BAI notes that the proposed merger relates to the purchase of 7 regional titles by INM, 2 of which are free sheets. This will increase the overall number of regional titles held by INM. However, the entity does not currently own any regional papers in the relevant geographical areas where the titles to be acquired operate. The BAI also notes that Denis O'Brien holds a significant interest both in INM and in



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Communicorp Group Limited, the latter of which operates local and national radio stations. None of the local/regional radio services relevant in the assessment of this transaction operate in the areas where the CMNL titles are focused.

The statutory framework set out in the Act highlights market share as an important indicator of media pluralism. The more sectors in which an undertaking has a significant interest, the lower the threshold for it to be considered to have an adverse effect on plurality. The Guidelines indicate the cross-media sectors for consideration are television, radio, print media, Internet and other media interests. Additionally, the Guidelines state that market share may be further examined in relation to geographical areas, among others. In this proposal, the sector concerned is print media, and more specifically regional/local print media.

The BAI notes that INM national newspapers, and the national radio services owned/controlled by Communicorp Group Limited, relevant in the assessment of this transaction serve the local areas in question. The extent to which the assessment of this proposal should differentiate between local/regional news/current affairs/opinion/cultural content and national news/current affairs/opinion/cultural content was the focus for some debate and attention in the submissions received and the Communications Chambers Report. The BAI recognises that local and national news agendas are separate, although complementary and somewhat overlapping. It therefore takes the view that they can and should, in the first instance, be treated as separate domains in the context of this assessment. This is not to say that the national dimension is not relevant, rather it is a secondary consideration.

Finally, the BAI notes that a range of issues were raised in the submissions which are out of scope for this assessment process. Many of these are referenced in the Communications Chambers Report.





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## Section 4 Assessment of the proposed media merger

As outlined earlier, the Minister issued Guidelines in May 2015 on the general applicability of the Relevant Criteria to Media Mergers. These provided the framework for the Phase One assessment of this proposed transaction and subsequent Report. They also provide the framework and structure for The BAI Report as follows:-

4.1 Ownership and Control

4.2 Market Share

4.3 Governance and Editorial Management

4.4 Content

4.5 Financial

4.6 Scale and Reach of RTE and TG4

4.7 Part 6 of the 2009 Act and the Ownership and Control Policy of the BAI

### 4.1 Ownership and Control

The proposed transaction will ultimately give INM 100% ownership of the seven regional CMNL titles. Therefore, post the transaction, INM will have increased the number of local/regional titles in which it has a significant interest. Equally the relevant shareholders in INM will have increased significant interests in these 7 regional titles resulting in a reduction in the plurality of ownership and control post the transaction.

The question for consideration is whether this reduction in plurality of ownership is such that it will result in an undertaking holding an undesirable level of significant interests within a media sector or sectors in the State.

The relevant entities here are INM plc and its largest shareholder Mr Denis O'Brien. Mr O'Brien also holds significant interests in several radio services as set out in Section 3 of the Communications Chambers Report. It is noteworthy that neither INM nor Mr. O'Brien has existing local/regional media interests in the areas covered by the CMNL titles. The only crossover is in relation to national media outlets. These are relevant factors in determining whether this consolidation of ownership and control will materially reduce plurality. This is considered further under the other criteria below.



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### 4.2 Market Share

As outlined earlier, neither INM nor its shareholders currently hold a significant interest in local/regional news outlets in the areas covered by the CMNL titles. Therefore, there will be no change in market share post the transaction in relation to local/regional newspapers or other relevant local media outlets in the areas covered by CMNL titles.

The BAI notes that INM and its shareholders are involved in national media outlets in the relevant areas. However, the BAI believes that the national and local news/current affairs and cultural content should primarily be treated separately.

In addition, consumption data in Sections 4 and 6 of the Communications Chambers Report demonstrates that the increase in INM's national market share post the transaction would not be significant.

### 4.3 Governance and Editorial Management

The BAI notes that the parties to the transaction have detailed the management and editorial structure that will be implemented for the CMNL titles post the transaction. This will constitute a new regional newspaper division in INM with a dedicated Managing Director. Separate dedicated editors and editorial staff will be retained for each of the CMNL titles. Each editor within this new division will be responsible for all editorial decisions with the divisional Managing Director having oversight of commercial matters only. The BAI acknowledges the potential impact of commercial decisions on editorial resources but equally notes the commitments made by Mr. Robert Pitt at the JOC hearing on 7<sup>th</sup> February in relation to the terms and conditions of employment of CMNL staff post the merger<sup>3</sup>.

The BAI noted that there was a lack of clarity about what staff are covered by the term “editorial staff” in the initial submissions from the undertakings. The Authority believes that this should be addressed to ensure that adequate resources remain in place post the transaction for a reasonable period. In addition, further clarity was required in relation to what exactly is meant by “produce content to serve their local areas” especially given the suggestion at the JOC hearing that some editorial premises may be sold. The BAI noted the recommendation in the AP Opinion that conditions should be set in relation to locally based editorial staff. The BAI endorses this recommendation and therefore has set out relevant conditions in

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<sup>3</sup> **Mr Robert Pitt:** “On the terms and conditions, we are guaranteeing all the rights of all the employees who are coming in. We will stand over the conditions they currently have. On certain issues, we have improved the conditions of employees in Independent News and Media. There was a pay rise for employees last year, we have invested in training and we have the only Press Association accredited graduate programme for journalists. We have put an investment fund into university for people as well. I think we can be quite proud of that.” JOC Official Meeting Report 7<sup>th</sup> February 2017



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Section 5 which have been informed by clarity provided by the undertakings 10<sup>th</sup> April response to the draft version of The BAI Report circulated on 27<sup>th</sup> March.

The BAI notes that the submission and the Independent News and Media Editorial Code of Conduct (January 2016) commits INM to adhere to the Press Ombudsman/Press Council Code of Practice. The BAI also notes that the AP Opinion made particular reference to the importance of adherence to the Press Council Code of Practice and to the commitments made by Mr Pitt in relation to ensuring editorial independence post the transaction. The BAI shares this view.

Taking all the above into consideration the BAI believes that any issues of concern arising in relation to Governance and Editorial Management can be satisfactorily addressed if the conditions set out in Section 5 are included in any approval.

### 4.4 Content

The main question here is whether diversity of news/current affairs/opinion/cultural content will be diminished post the transaction. The Guidelines highlight the importance of internal and external plurality when considering the proposals under this heading. Some potential concerns in relation to internal plurality have been addressed under Governance and Editorial Management above. The BAI notes the concerns raised in a range of submissions about the balance between freelance and staff journalists and recognises the legitimacy of this from the perspective of employment rights. The impact on plurality is less clear especially given the commitments from INM for current terms and conditions in relation to CMNL staff to be honoured.

The primary focus in this assessment on local rather than national content reduces the causes for concern in relation to external plurality. The BAI notes the commitments from Mr Robert Pitt to the JOC that the local character and local relevance of the content will be maintained post the transaction<sup>4</sup>. Diversity of locally sourced content in the relevant areas should not be unduly impacted by the proposed merger

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<sup>4</sup> **Mr Robert Pitt:** "Among our regional newspapers, the editor of a paper in Kerry reports on very different matters and with a very different tone from the editor of a paper in Wexford might do because they are completely different parts of the country with different priorities, and different issues are important to them. Unemployment, for example, could be very different in one area from another area. Infrastructure investment is another example. We can quite safely say that there is already huge diversity within INM and that the newspapers have the freedom to protect that and to maintain their individual voices. We guarantee that with the transaction to acquire the newspapers of Celtic Media those newspapers will remain independent. What will happen is that they will achieve the financial security to ensure they can, without fear or favour, write and talk about the things that are important. I made the point in my presentation that a strong media is very important. That strong media, however, has to be commercially viable. That is very important." *ibid*



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given the nature of the titles involved and the environment in which they operate. Section 6, in particular, of the Communications Chambers Report addresses this issue. In this context, more detailed content analysis in relation to the relevant titles is not considered necessary on this occasion.

Taking all of the above into consideration, the BAI believes that potential concerns arising in relation to this criterion have been satisfactorily addressed.

### 4.5 Financial

Given the size and nature of the transaction, there is no obvious threat to the sustainability of the post-merger entity. Indeed, the merger may in the medium-term help secure the future of the CMNL titles some of which face more immediate financial challenges than others. The BAI notes that the future of all the CMNL titles is not guaranteed and recognises the potential reduction in plurality that the closure of any title would present. The positive consequences for plurality of the media in the State of the transaction, in the context of improved sustainability for the CMNL titles, was also acknowledged in the AP Opinion.

The BAI notes the recommendation in the AP Opinion that INM should be required to offer a title/s for sale at a reasonable price should closure be considered within a reasonable period post the transaction. The AP Opinion did not define a reasonable period or how a reasonable price would be established. The BAI supports an amended version of this condition i.e. for sale on the open market if closure is considered within three years.

### 4.6 Scale and Reach of RTE and TG4

As these outlets provide limited local news/current affairs/opinion/cultural content in the relevant areas, their potential contribution to plurality is limited in the context of this assessment. It is also noteworthy that the only Gaeltacht area relevant for this assessment is Ráth Chairn in County Meath.

### 4.7 Part 6 of the 2009 Act and the Ownership and Control Policy of the BAI.

The proposed transaction will require approval by the BAI under these criteria in the context of the Communicorp radio services. There is no relevant information to consider here as this process will only commence if this transaction is approved by the Minister.



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## Section 5. Conclusion and Recommendations

Having considered all of the relevant material, it is the view of the BAI that the proposed transaction should be permitted subject to the conditions that are outlined beneath. In coming to its view the BAI had regard to:

- a) The relevant criteria;
- b) The Department Guidelines on Media Mergers;
- c) Submissions provided by the public and the Joint Oireachtas Committee on Communications, Climate Action and Environment ("the JOC");
- d) Submissions provided by the undertakings to the Minister during his initial examination and to the BAI itself;
- e) The determination of the CPCC;
- f) The opinion of the Advisory Panel;
- g) Relevant reports published by the Minister and the BAI under section 28M; and
- h) Responses of the undertakings to the draft report and recommendation provided to them pursuant to section 28E(9).

As detailed in the analysis presented in Section 4 above, key elements in this decision included the following:

- While the proposed transaction will reduce diversity of ownership and control of media businesses in the State, the impact of this is not significant in the context of the relevant media sectors impacted and their relative market shares.
- The impact of the transaction on diversity of content in respect of news/current affairs and cultural interests is limited, in particular given the commitments provided by INM on future Governance and Editorial Management.
- The proposed transaction should enhance the financial viability of the CMNL titles in the medium term given the challenging operating environment for traditional media players in Ireland



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The BAI recommends that the following three conditions should be attached to any approval of the proposed transaction -

1. INM shall implement the governance structure proposed in the submissions which comprises the following key components (i) CMNL Editors appoint CMNL Journalists who produce content and report to the 5 separate CMNL Editors , (ii) the number of such journalists should be maintained at 24 and spread across the Paid-For CMNL Titles, (iii) CMNL Editors decide on the content to be included in CMNL Paid-For Titles and report to a Managing Director with dedicated responsibility for such CMNL Paid-For Titles to the limited extent necessary for commercial purposes (for example, reporting on circulation and advertising revenue trends), and (iv) a Managing Director is responsible for CMNL Paid-For Titles and is not responsible for any other INM titles.
2. The commitments given by Mr Pitt in relation to the terms and conditions of existing CMNL staff are confirmed to those staff.<sup>5</sup>
3. In the event that INM decides to close any of the paid-for CMNL titles within three years post the transaction, the relevant title/s will be offered for sale on the open market.

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<sup>5</sup> **Mr Robert Pitt:** "On the terms and conditions, we are guaranteeing all the rights of all the employees who are coming in. We will stand over the conditions they currently have. On certain issues, we have improved the conditions of employees in Independent News and Media. There was a pay rise for employees last year, we have invested in training and we have the only Press Association accredited graduate programme for journalists. We have put an investment fund into university for people as well. I think we can be quite proud of that." JOC Official Meeting Report 7<sup>th</sup> February 2017



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## APPENDIX ONE

**“The plurality implications of the proposed merger of INM plc/Celtic Newspapers Ltd”**  
**Communications Chambers**  
**20<sup>th</sup> March 2017**

**Robert Kenny & Tim Suter**

**The plurality implications of the proposed merger  
of INM plc/Celtic Media Newspapers Ltd**

**20 March 2017**

**This report contains information which is confidential to the merging parties**



*Disclaimer*

This is an independent report commissioned by the Broadcasting Authority of Ireland.

The opinions offered in this report are purely those of the authors. They do not necessarily represent the views of the BAI, nor do they represent a corporate opinion of Communications Chambers.

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# 1. Executive Summary

This report provides a plurality review of the proposed acquisition of CMNL Limited (Celtic Media) by Independent News and Media Holdings (Ireland) Ltd (INM).

## *Statutory Context*

When notified of a media merger, the Minister Communications, Climate Action and Environment may request the Broadcasting Authority of Ireland (BAI) to provide a report assessing whether the merger is likely to be contrary to the public interest in protecting media plurality in the State. This paper provides such an assessment of the proposed INM/CMNL merger. The paper follows the framework for assessment set out by the Competition Act 2002 and the associated media merger guidelines.

The merger has already been cleared on competition grounds by the CCPC.

## *The merging parties*

INM is an Irish media company focussed on newspapers and online businesses. It publishes five national newspapers, including the Independent and the Herald, as well as 13 regional titles including the *Kerryman* and the *Wexford People*.

INM's national daily and Sunday titles have circulations of 201,000 and 362,000 respectively, or shares of 45% and 57% of each market, making INM the largest national newspaper player by some margin. INM's regional titles have a total weekly circulation of [REDACTED].

INM's largest shareholder, with a 29.88% holding, is Denis O'Brien. Mr O'Brien also owns 100% of Communicorp, which has majority holdings in Today FM, Newstalk and three local radio stations.

INM is financially healthy and has revenues of €321m.

CMNL is a publisher of seven regional newspapers including the *Anglo Celt* and *Meath Chronicle*. These have a total weekly circulation of [REDACTED]. CMNL is a private company owned by managers and certain employees.

CMNL has revenues of €7m. [REDACTED]  
[REDACTED]  
[REDACTED]

The geographic markets which CMNL serves do not overlap to any material extent with either INM's local newspapers or Communicorp's local radio stations.

### *The market context*

In line with other markets, news consumption has been changing rapidly in Ireland. National newspapers have seen their circulations fall at 6% per year over the last five years and regional newspapers (for which there is less reliable data) have likely seen similar falls.

TV news, after a period of decline, has seen consumption stabilise. Radio news appears to have been steady. In both these broadcast media, RTÉ is the leading news provider (particularly in TV, where it represents three-quarters of consumption).

Online consumption of news consumption has been growing rapidly. Online INM is the largest player, albeit with a share (16% of computer news time) much lower than that it holds in newspapers.

Consumers regard TV as their most important source for national news, though the internet is gaining fast. Radio is third and newspapers are fourth. Conversely, for local news, radio and newspapers are seen as most important.

### *The test to be applied*

Neither the Act nor the guidelines create a bright line test – a given market share of a market which is not allowed, for example. Instead they provide a set of dimensions against which a judgement can be made.

The test does not preclude *any* reduction in plurality, as is demonstrated by the several media mergers which have been allowed under the Act. Rather (per the guidelines) it seeks to prevent anyone holding “excessive significant interests” in media outlets to the detriment of free expression, civic discourse and a diversity of content.

This sets up a need to consider the appropriate ‘domain’ for a given plurality assessment (analogous to the market in a competition assessment). Not all media outlets operate within the same domain for plurality. For instance, if the domain of national news providers were highly concentrated, it would provide little protection that local news was highly plural. Local news providers cover different topics, and would not contribute to civic discourse on national issues.

We believe the appropriate domain to consider in this transaction is local news, given that all the acquired titles are local newspapers. Further, each geographic area needs to be considered separately. A highly plural local media environment in one region has no bearing on the state of plurality in another region.

### *Assessment of the merger*

Against the criteria set out for a plurality assessment, our views are as follows

#### *Ownership & control*

The transaction will give INM 100% ownership of the CNML titles with the potential for absolute control. However, INM has no overlapping local outlets. Thus after the transaction, for each area in Ireland there would be the same diversity of ownership of local news providers as before.

#### *Market share*

In certain markets CNML's share is high – 50-60% in Westmeath, for example. However, the combined entity would have no higher share in any market (or domain) and thus plurality concerns do not arise regarding local news.

It is theoretically possible that INM might direct the CNML titles to start covering national news, with an editorial line identical to that of its national titles. Even if this scenario (which we regard as unlikely) came to pass, it would have minimal impact. The CNML titles provide less than a ■ increase in INM's circulation, and a far smaller increase in share of overall Irish news consumption.

#### *Governance & editorial management*

The parties have committed that: ■  
■  
■  
■

While helpful, we recognise that these commitments cannot be relied upon in the long term. However the BAI might recommend to the Minister that he should seek guarantees that these governance commitments will persist for a reasonable time post merger.

#### *Content*

The CNML titles carry very little national or international news, consistent with our view that they operate in a different 'domain' from the national providers.

### Financial

Given INM's financial health, the merger is unlikely to represent a financial risk to either party, though we note that there can be no guarantee for the long term survival of any local newspaper.

[REDACTED]

### Scale & reach of RTÉ & TG4 and BAI policies

These issues are not relevant to the transaction in question.

### Conclusion

We conclude that the acquisition does not pose a threat to the plurality of media, and should therefore be allowed. We do not consider it would be necessary to impose conditions on the parties before permitting the acquisition.

However, we note that this conclusion is tied to the specifics of this acquisition - in particular the fact that it involves only local assets with no geographic overlap with the existing local assets of the acquirer.

## 2. Introduction

This report provides a plurality review of the proposed acquisition of CMNL Limited (Celtic Media) by Independent News and Media Holdings (Ireland) Ltd (INM).

### Statutory Context

The parties have notified the Minister for Communications, Climate Action and Environment of this media merger, and he in turn has requested the Broadcasting Authority of Ireland (BAI) to provide a report on the merger.

Under the Competition Act 2002 (as amended)<sup>1</sup>, this report should provide a recommendation as to whether the merger should be permitted (with or without conditions), based on a view as to whether the merger is likely to be contrary to the public interest in protecting media plurality in the State.

The BAI is to take into account (inter alia):

- The ‘relevant criteria’ set out in the Act (see below)
- The media merger guidelines<sup>2</sup>
- Submissions received
- The opinion of the advisory panel appointed by the Minister
- Responses by the parties to a draft of the report

The relevant criteria are as follows:

- a) the likely effect of the media merger on plurality of the media in the State;
- b) the undesirability of allowing any one undertaking to hold significant interests within a sector or across different sectors of media business in the State;
- c) the consequences for the promotion of plurality of the media in the State of intervening to prevent the media merger or attaching conditions to the approval of the media merger;
- d) if appropriate, the adequacy of the following to protect the public interest in plurality of the media in the State:
  - (i) the scale and reach of RTÉ and TG4;
  - (ii) Part 6 of the Act of 2009;
  - (iii) the ownership and control policy of the [BAI]
- e) the proposed commitments that the undertakings are prepared to offer ...;

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<sup>1</sup> Law Reform Commission, [\*Competition Act 2002 Revised- Updated to 1 October 2015\*](#)

<sup>2</sup> DCCAE, [\*Finalised Guidelines on Media Mergers\*](#), 15 June 2015

- f) the extent to which the public interest can be secured by the imposition of any conditions by the Minister

In addition to these criteria, the merger guidelines set out several headings under which the Authority should consider a merger. In brief, these are:

- *Ownership and control*, primary indicators of media plurality
- *Market share*, to understand consumption patterns at a national level and (potentially) for one or more sub-groups such as geographical areas
- *Governance and editorial management*. Tighter control may adversely affect plurality
- *Content*. If merging parties can be expected to provide diverse content, and maintain diverse sources, this will support plurality, as will diverse content addressing the same market that is available to citizens from third parties
- *Financial*. High levels of financial dependence (including due to high debt levels) for one merging party may act to reduce plurality
- *Scale and reach of RTE and TG4*. The PSBs are clearly significant players in a number of areas of Irish media, and hence are relevant to plurality

This report (on behalf of the BAI) undertakes a review of the implications of the proposed transaction for plurality, against the framework set out above. It is intended to be responsive to the Minister's request for a report from the BAI, but naturally any decision to submit this report (or a revised version thereof) is solely at the Authority's discretion.

### Scope of this report

In this report we first set out the media assets of the two parties. We then provide a brief survey of the wider media landscape, to provide context, before considering the key conceptual issues related to plurality raised by this transaction. Finally, we assess the transaction against the guidelines, and offer our conclusions.



### 3. The merging parties

#### INM

INM is an Irish media company, focused on newspapers and online businesses. It is listed on the London and Irish stock exchanges.

#### Media outlets

It publishes a number of national and regional newspapers in the Republic:

Figure 1: INM newspapers, Republic of Ireland

National	Regional
<i>Irish Independent</i>	<i>Bray People</i>
<i>Sunday Independent</i>	<i>Drogheda Independent</i>
<i>Herald</i>	<i>Co Wexford Reporter</i>
<i>Sunday World</i>	<i>Enniscorthy Guardian</i>
<i>Irish Daily Star (50% interest)</i>	<i>Fingal Independent</i>
	<i>Gorey Guardian</i>
	<i>New Ross Standard</i>
	<i>Sligo Champion</i>
	<i>The Argus</i>
	<i>The Corkman</i>
	<i>The Kerryman</i>
	<i>Wexford People</i>
	<i>Wicklow People</i>

The regional titles are all weeklies, with the exception of the *Wexford Reporter*, which is fortnightly.

In addition to these titles, INM also publishes the *Belfast Telegraph* and *Sunday Life* (in Northern Ireland) and several magazines on various non-news topics. INM also provides websites associated with most of these various outlets.

Besides its own outlets, INM provides newspaper printing and wholesale distribution to third parties.

#### National circulation

INM's national dailies (including the *Herald*) have a total circulation of 201,000, or 45% of the market. INM's national Sundays have a total of 362,000, or 57% of that market.<sup>3</sup>

INM is the largest player in Irish national newspapers by some margin. Its largest rivals during the week and on Sunday are the

<sup>3</sup> ABC, H1 2016. We discuss the wider market and circulation trends in more detail at page 10

*Irish Times* and the *Irish Mail on Sunday* respectively, with 16% and 13% share.

Figure 2: INM national newspapers, Republic of Ireland<sup>4</sup>

Title	Daily circulation	National circulation share <sup>5</sup>	Monthly page impressions
<i>Irish Independent</i> [Daily]	102,537	22.8%	████████
<i>The Herald</i> [Daily]	44,085	9.8%	████████
<i>Irish Daily Star</i> [Daily]	53,945	12.0%	████████
<i>Sunday Independent</i> [Weekly]	199,210	31.2%	██████
<i>Sunday World</i> [Weekly]	162,938	25.5%	████████

### Regional circulation

INM's regional titles have weekly circulations in the range of ██████ to ██████ copies per week, amounting to a total of ██████. Local readership shares are generally ██████ though the ██████, at ██████, is notably higher than this.

Monthly page impressions are ██████ – equivalent to approximately ██████ per print copy sold (and each copy may be read by multiple readers). This suggests that print is still the dominant mode of consumption of these titles.

Figure 3: INM regional newspapers, Republic of Ireland<sup>6</sup>

Title	Weekly circulation	Weekly readership	Readership share in County	Monthly page impressions
<i>The Argus</i>	██████	██████	██████	██████
<i>Bray People</i>	██████	██████	██████	██████
<i>The Corkman</i>	██████	██████	██████	██████
<i>The Drogheda Independent</i>	██████	██████	██████	██████
<i>Enniscorthy &amp; Gorey Guardian</i> <sup>7</sup>	██████	██████	██████	██████
<i>Fingal Independent</i>	██████	██████	██████	██████
<i>Kerryman</i>	██████	██████	██████	██████
<i>New Ross Standard</i>	██████	██████	██████	██████
<i>The Sligo Champion</i>	██████	██████	██████	██████
<i>Wexford People</i>	██████	██████	██████	██████
<i>Wicklow People</i>	██████	██████	██████	██████

<sup>4</sup> ABC H1 2016 except for page impressions, which are from Google Analytics for June 2016

<sup>5</sup> Weekday or Sunday, as appropriate

<sup>6</sup> Mediaforce and parties' best estimates, except for page impressions, which are from Google Analytics for June 2016

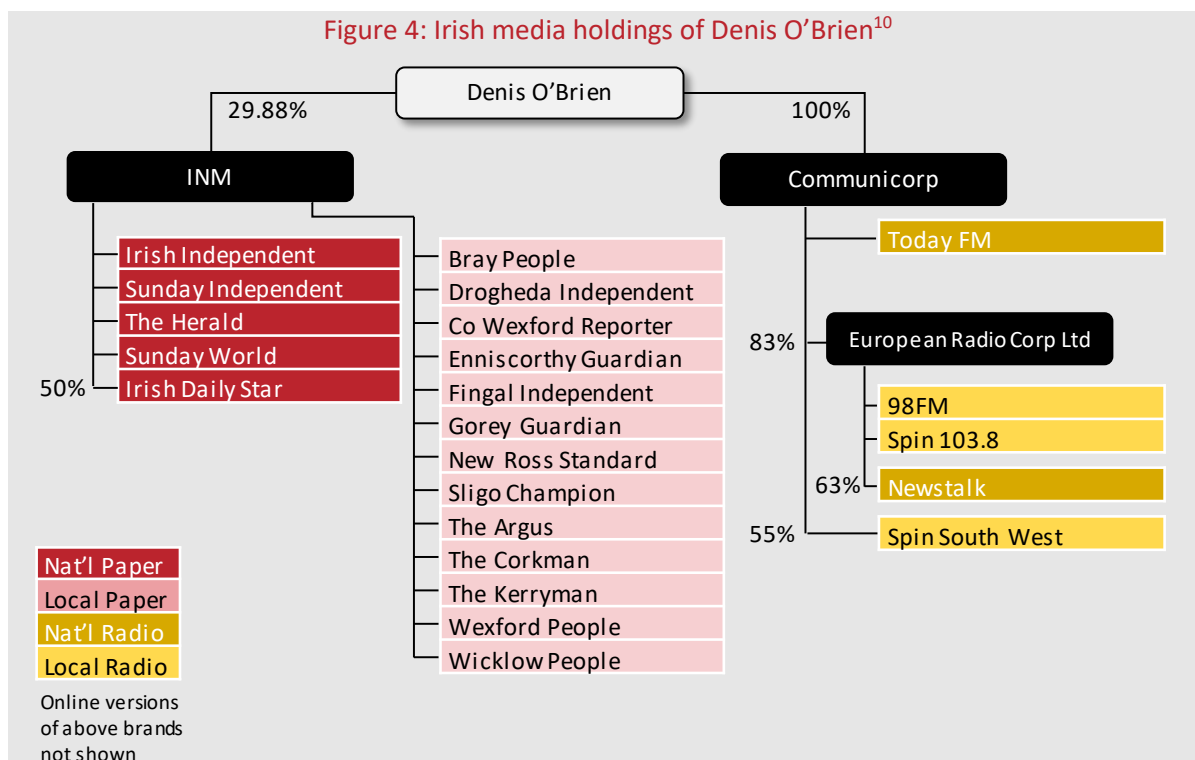
<sup>7</sup> Per INM, the figures provided are a combination of the *Enniscorthy* and *Gorey Guardian* newspapers as there is no market share / readership breakdown available for each newspaper

## Financials

In 2015 INM had revenues of €321m and profit before tax of €37m. Of its revenues, €101m derived from the sale of newspapers and magazines, €70m from newspaper advertising and €13m from online advertising.

## Ownership

INM's largest shareholder is Mr Denis O'Brien, with a 29.88% shareholding, a level the media merger guidelines say "will generally constitute a significant interest".<sup>8</sup> The next largest holder (with 15%) is IIU Nominees, which is controlled by Mr Dermot Desmond and International Investment and Underwriting, a private equity company founded by Mr Desmond.<sup>9</sup>



Mr O'Brien, in addition to his ownership of INM, has interests in a number of other businesses. These include a 100% holding in Communicorp, which owns (directly or indirectly) stakes in several radio stations: Today FM and Newstalk (national stations), 98FM

<sup>8</sup> DCCAE, *Finalised Guidelines on Media Mergers*, 15 June 2015. We are unaware of circumstances that would mean that Denis O'Brien's 29.9% ownership would, exceptionally, not constitute a significant interest, but our use of the term here is not intended to represent a legal finding

<sup>9</sup> INM, *Annual Report 2015*, 21 April 2016

<sup>10</sup> Various sources including INM and Communicorp accounts and B1 filings. Shareholdings have been rounded to various degrees. In addition to the outlets shown, INM has a small (12.2%) stake in CK Broadcasting, owner of KCLR 96FM. Note that Communicorp previously had a minority stake in TFXM, but this Dublin station ceased operation in October 2016.

and Spin 103.8 (Dublin) and Spin South West (Kerry, Limerick, Clare, North Tipperary & South West Laois).

Across newspapers and radio (and their online versions), Mr O'Brien's media outlets have substantial 'share of voice', second in Ireland only to that of RTÉ, as we discuss in more detail below.

## Celtic Media

Celtic Media is a private limited company which publishes regional newspapers in Ireland. The company was created for the purposes of the transaction – the regional titles were transferred from The Anglo Celt Limited in 2016.

### Media outlets

Celtic Media publishes seven regional titles. These are all weekly (except for Forum, which is bi-weekly).

Figure 5: Celtic Media newspapers	
Regional (paid)	Regional (free)
<i>Connaught Telegraph</i>	<i>Forum [Meath]</i>
<i>Westmeath Independent</i>	<i>Offaly Independent</i>
<i>Westmeath Examiner</i>	
<i>Meath Chronicle</i>	
<i>Anglo Celt [Cavan]</i>	

Celtic Media also provides pre-press services to third party regional newspapers.

### Regional circulation

The Celtic Media titles have circulations roughly equivalent to the INM regional titles, in the range of 4,000 to 13,000 copies per week. With the exception of the *Anglo Celt* in Cavan, readership shares of individual titles are less than 50%. However in Westmeath (the *Examiner* and *Independent*) and Meath (The *Chronicle* and the *Forum*) the combined share of the Celtic Media titles is over half the market.

In line with most local newspapers, the Celtic Media paid titles' readership skews relatively older, with over 50% of readers aged 45+ for each of them (compared to 44% for Ireland as a whole).<sup>11</sup>

Figure 6: Celtic Media titles circulation <sup>12</sup>				
Title	Weekly	Weekly	Readership	Monthly page

<sup>11</sup> Excludes those aged 0-14

<sup>12</sup> Mediaforce and parties' best estimates, except for page impressions, which are from Google Analytics for May 2016

	circulation	readership	share	impressions
Connaught Telegraph	████	████	████	████
Westmeath Independent	████	████	████	████
Westmeath Examiner	████	████	████	████
Meath Chronicle	████	████	████	████
Anglo Celt	████	████	████	████
Forum [free]	████	██	████	████
Offaly Independent [free]	████	██	████	████

## Financials

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██████ Celtic Media CEO Frank Mulrennan suggested in his testimony to the Oireachtas Joint Committee that the future of the *Forum* would be in doubt if the transaction did not proceed.<sup>14</sup>

<sup>13</sup> Media Merger Notification Form

<sup>14</sup> Oireachtas Joint Committee on Communications, Climate Action And Environment, 7 February 2017 (p23)

Figure 7: Celtic Media titles contribution to central costs (€'000) <sup>15</sup>			
Title	2015 contribution	2016 contribution	Change
Connaught Telegraph	■	■	■
Westmeath Independent	■	■	■
Westmeath Examiner	■	■	■
Meath Chronicle	■	■	■
Anglo Celt	■	■	■
Forum [Free]	■	■	■
Offaly independent [Free]	■	■	■

### Ownership

The three largest shareholders of Celtic Media are board directors Frank Mulrennan (37.89%), Frank Long (27.37%), and Jonathan Wood (13.68%). The remaining 21.06% shareholding is held by 10 other individual shareholders who are editors and sales managers within Celtic Media.<sup>16</sup>

### Geographical distribution

Figure 9 shows the location of the regional newspapers of Celtic Media and INM, and of Communicorp's local radio stations. In general there is some distance between the various outlets, particularly between Celtic Media on the one hand and INM & Communicorp on the other.

This means there is relatively little overlap in the distribution of the parties' local newspapers. Instances where more than 50 copies of a title were sold per week within the target market of another title are set out below:

Figure 8: 'Distant' copies sold <sup>17</sup>			
Title	'Distant' region	Target market of	Copies sold
■	■	■	■
■	■	■	■
■	■	■	■
■	■	■	■
■	■	■	■
■	■	■	■

<sup>15</sup> Celtic Media response to queries. "Prepress Recharge" (€51,000 in 2015, €8,000 in 2016) excluded

<sup>16</sup> Media Merger Notification Form

<sup>17</sup> Media Merger Notification Form. Note that ■ and ■ sold 254 and ■ respectively in County ■, a distant region for both titles

Figure 9: :Location of regional outlets of Celtic Media, INM and Communicorp (in the Republic)<sup>18</sup>



<sup>18</sup> Various sources including INM and Communicorp accounts and B1 filings. Shareholdings have been rounded to various degrees. Note that Communicorp previously had a minority stake in TFXM, but this Dublin station ceased operation in October 2016



## 4. The wider context

In this section we consider patterns of consumption of different news media, and of share of different outlets within each medium. We also look at the importance of different media to consumers as a source of news. We here draw on, and update, the analysis we provided in our 2015 report on the ownership and control of media businesses in Ireland.<sup>19</sup>

### National Newspapers

#### Circulation

In common with other markets, Ireland has seen a steady and substantial decline in newspaper circulation, at a rate of approximately 6.0% per year over the last five years. In the last three years, national daily circulation (including the *Herald*) has fallen from 540,000 to 449,000.<sup>21</sup>

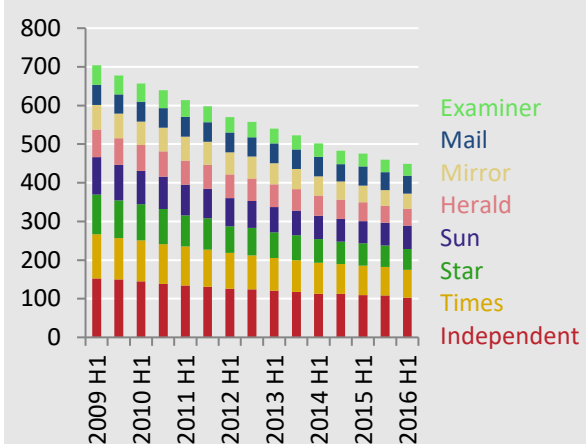
Market share amongst dailies has been broadly steady over the period. The *Irish Sun* has been the biggest gainer over the last three years (up 1.4 percentage points) and the *Irish Daily Mirror* the biggest loser (down 1.6 percentage points). The *Irish Independent* has the highest share, at 22.8%. In total INM titles have a 44.7% share, down 1.0% over the last three years.

Sunday circulation is higher than daily, with a total of 639,000 copies distributed in H1 2016 (down from 783,000 three years earlier). On Sundays the *Sunday Independent* has a 31.2% share, followed by the *Sunday World* with 25.5%.

#### Readership

Another perspective on newspaper consumption comes from the Joint National Readership Survey, which asks respondents to report which titles they have read and how often. However, the JNRS had a major change in methodology in 2012, which complicates trend analysis.

Figure 10: National newspaper circulation ('000)<sup>20</sup>



<sup>19</sup> Communications Chambers, [Ownership and control of media businesses in Ireland](#), 16 July 2015

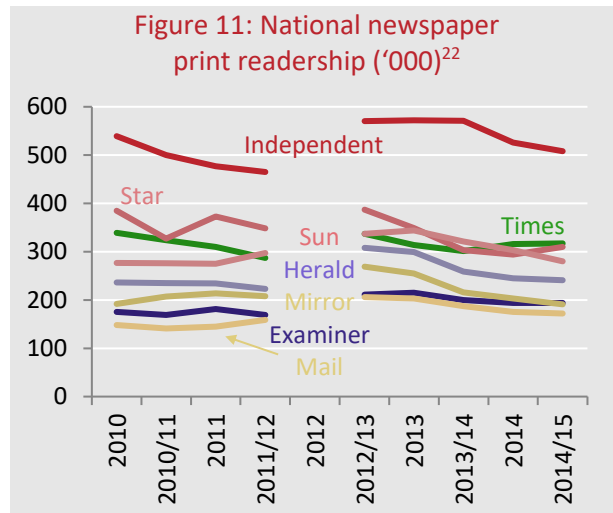
<sup>20</sup> NNI/ABC

<sup>21</sup> Unless specified otherwise, ABC figures discussed in this text are for H1 2016, the latest available



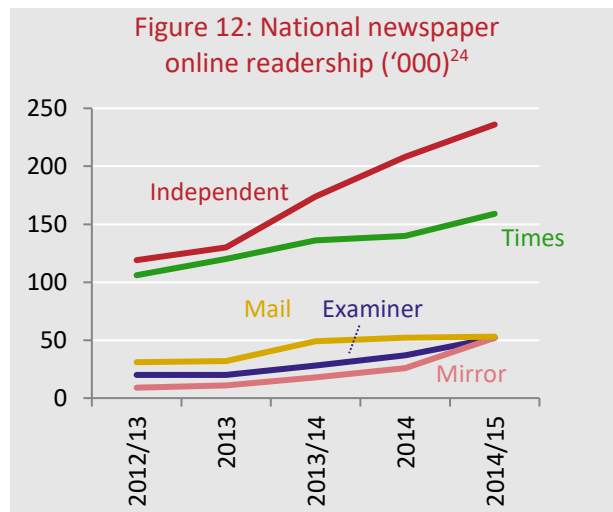
According to the JNRS 2014/15 survey (the latest available) print readership of daily newspapers stands at 1,866,000, or just over half of adults on a typical day. Implied adult readers per print copy is 4.7.<sup>23</sup>

As with circulation, The *Irish Independent* is the largest title, with a 23% share of readership.



Since 2012 JNRS has also reported online consumption. While growing, as of 2014/15 this was appreciably lower than print consumption with 615,000 average daily readership (compared to 1,866,000 for print).

Several titles have fewer than 25,000 daily readers online. The largest titles online are the *Irish Independent* and the *Irish Times*, with the *Daily Mail*, the *Daily Mirror* and the *Irish Examiner* some way behind with approximately 50,000 readers each. Share is more concentrated online, with 39% of online readership to the *Irish Independent* (compared to 23% in print). The Independent's share of *overall* online news consumption will of course be much lower, since there are many other providers beyond just newspapers.



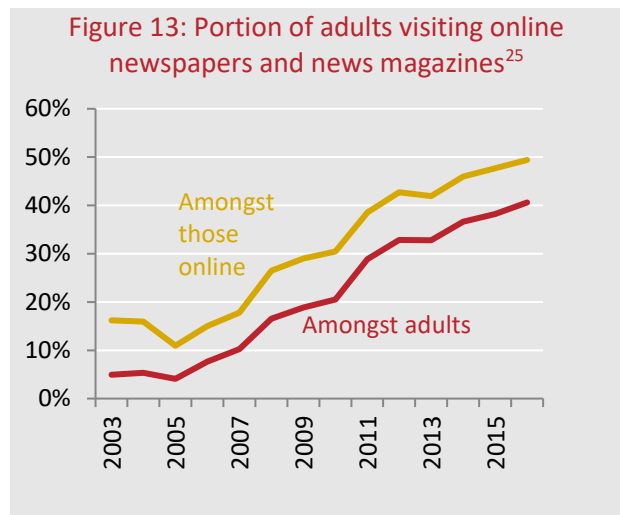
<sup>22</sup> JNRS. Per JNRS' view, total reported readership prior to 2012 is deemed to be comparable to print readership in the post-2012 survey

<sup>23</sup> Based on summed readership of the print dailies of 2.2m, and summed circulation of 476,000 fpr H1 2015

<sup>24</sup> JNRS

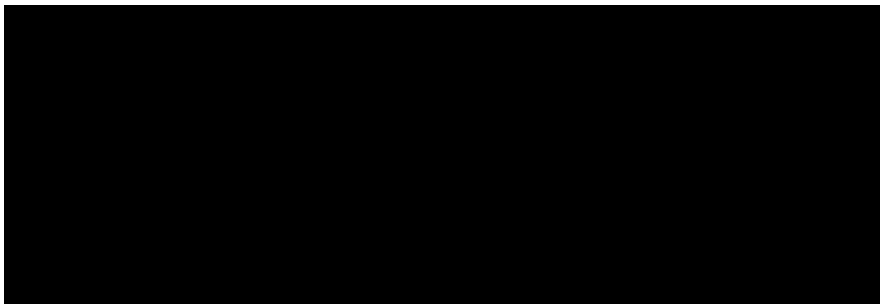
A longer term perspective comes from the European Commission's research, which has tracked usage of online newspapers and news magazines in Ireland since 2003. Today 41% of those aged 16-74 report visiting such sites. Usage is growing in part because of increased adoption of the internet, but it is also rising amongst those online, suggesting that growth will continue even as internet penetration reaches saturation. (Penetration now stands at 82% of individuals).<sup>26</sup>

We discuss below online news providers other than newspapers.



## Regional Newspapers

There is less information available on the performance of regional newspapers in Ireland. Many regional titles no longer have their circulations certified, and some commentators have suggested that this is in response to sharp declines in circulation.<sup>27</sup>



<sup>25</sup> EC, Digital Agenda Scoreboard. Figures are for those aged 16-74, and includes those downloading such titles

<sup>26</sup> Ibid

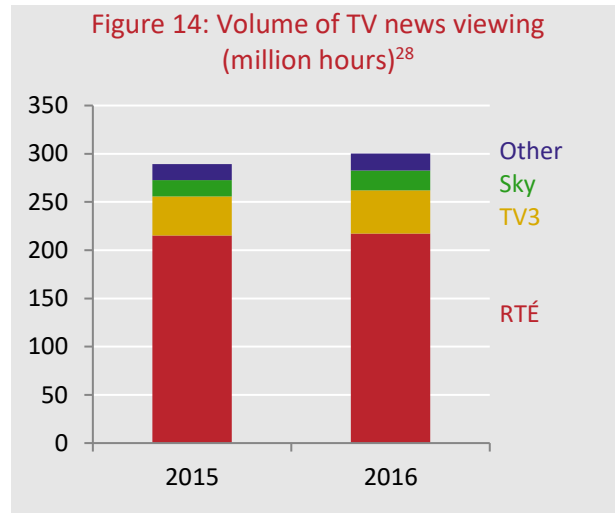
<sup>27</sup> ["Limerick Post the only local newspaper with ABC certified circulation figures"](#), *Limerick Post*, 25 February 2016

## Television

TV news and current affairs viewing has been fallen appreciably over the last five years. By way of example, the average audience for the RTÉ Nine O'clock News fell from 556,000 in 2011 to 412,000 in 2016. That said, 2016 news viewing was slightly up over 2015 for virtually all broadcasters, including RTÉ (Figure 14).

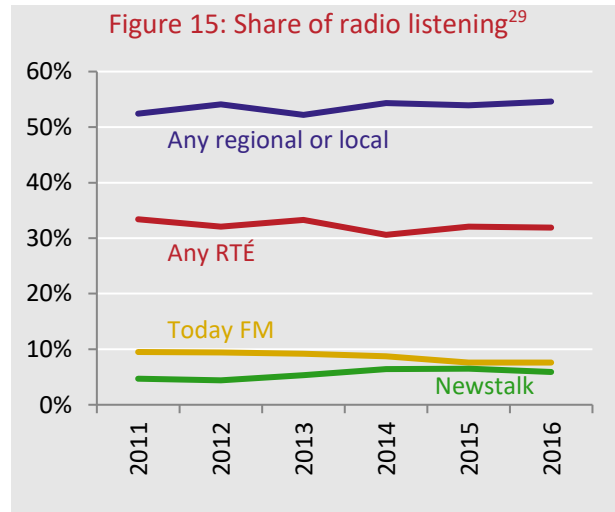
In terms of share, RTÉ continues to dominate, with approximately three quarters of all news viewing.

All broadcasters - TV and radio - are subject to fairness and impartiality requirements (unlike newspapers or online-only outlets). While strictly these requirements only apply to their broadcast outlets, in practice they are generally carried over to the online outlets of broadcasters also.



## Radio

Radio listenership has seen a slight decline, with minutes per adult per day falling from 237 to 233 (2%) between 2011 and 2016.<sup>30</sup> Market share has been broadly stable, albeit with some gains for regional & local stations at the expense of RTÉ. The Communicorp national stations (Today FM and Newstalk) have in aggregate been broadly flat in share, though in 2016 they were down 1.6 percentage points from their 2014 peak.



<sup>28</sup> Nielsen, Communications Chambers analysis and estimates. Includes current affairs programming. Note that due to a change in calculation methodology, these figures are not directly comparable to those presented in Communications Chambers, *Ownership and control of media businesses in Ireland*, 16 July 2015

<sup>29</sup> JNLR reports for relevant calendar year. Listening from 7am to 7pm

<sup>30</sup> Ibid

Figure 16 shows the national share of listening for the different groups of stations. RTÉ leads, followed by Communicorp and Wireless Group (owned by News Corp). This will not correspond directly to share of radio news consumption, not least because Communicorp's Newstalk will have news as a higher percentage of its output than most stations.

We also note that on a wholesale basis, Newstalk provides national and international news to all commercial radio stations. News may be provided on a 'rip and read' basis (text prepared by Newstalk is read out by staff of the relevant station), or in the form of bulletins for rebroadcast. However, editorial responsibility remains with the station, and as a practical matter stations will make their own judgements about story selection, running order and so on. They may also draw on other sources in addition to Newstalk in preparing their own news programming.

At a local level it is generally the 'home local' commercial station which picks up the bulk of non-national listening (Figure 17). Overall they capture 40% of total listening (compared to 15% for all other local and regional and 31% for RTÉ).

None of the Communicorp local stations are in this home local category. The group's largest share in any region is in Dublin, where the combination of its two national stations plus 98FM and Spin 1038 give it a local listening share of 29% (compared to RTÉ's 43%).

## Online news

We noted above the online consumption of Irish newspapers, but there are many other providers of online news. Broadcasters, international newspapers and pure online players are all important.

Figure 16: Radio group share of listening, 2016<sup>31</sup>

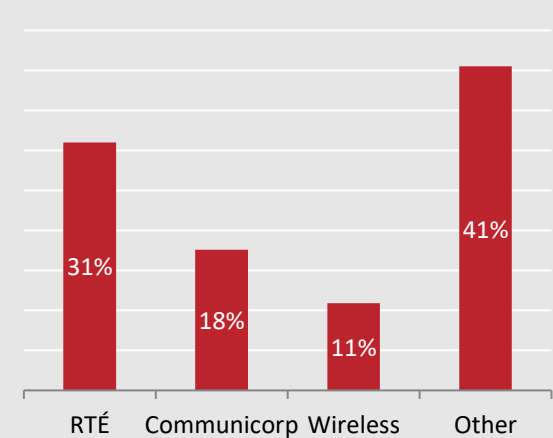
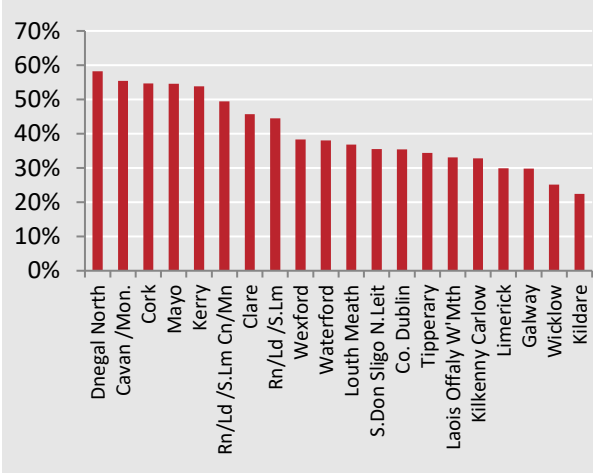


Figure 17: 'Home local' station listening share<sup>32</sup>



<sup>31</sup> JNLR, Communications Chambers analysis

<sup>32</sup> JNLR, Communications Chambers analysis

Online news consumption is fragmented across computers, smartphones via browsers and smartphones via apps, but by way of illustration, Figure 18 shows Comscore's figures for the volume of news consumption on computers. INM leads, with [REDACTED] minutes (or an average of [REDACTED] minutes per month for each of [REDACTED] visitors). This represents [REDACTED] of online news consumption via a computer.

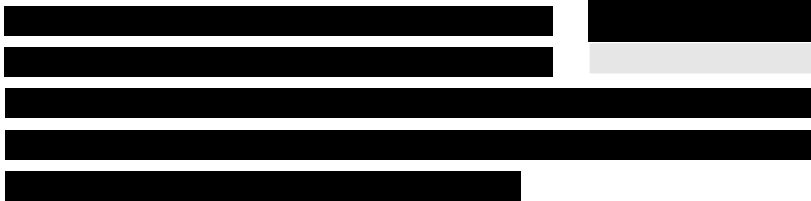
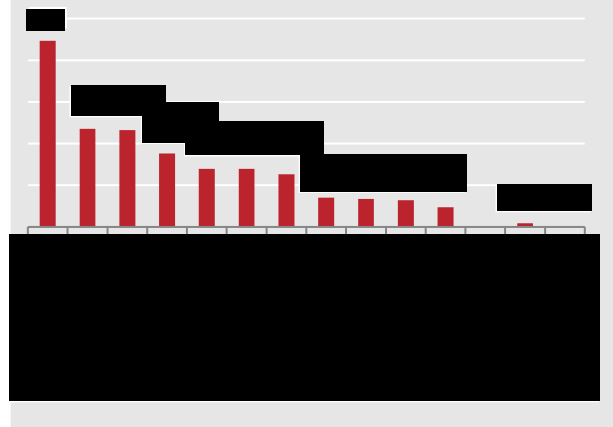


Figure 18: Time spent on Online News Sites, top ten and select local (computer, m minutes)<sup>33</sup>



Comscore does not provide minutes of mobile usage of news sites, but measured by number of users, INM leads for the mobile web (with [REDACTED] unique visitors) and RTÉ leads for app-based usage (207,000 uniques).

Across browsers and apps, the Irish are particularly heavy users of smartphones, and 37% of those online report that this is their main device for accessing online news.<sup>34</sup>

## Importance of different media for news

Next we consider the importance of different media for news, from the Irish consumer's perspective. For national news, our sources are the regular Eurobarometer and Reuters Institute surveys. For local news we consider a 2013 Crowe Horwath survey conducted in support of the review of PSB funding (to our knowledge, the most recent available data regarding local news).

### National news

The Eurobarometer survey asked specifically about national *political* news, and also asked about both primary and secondary sources. TV was the most important source, with almost half of consumers reporting it is their primary source, and 71% reporting that it is one of the sources they use.

<sup>33</sup> Comscore. Figures are for October 2016

<sup>34</sup> Reuters Institute / FuJo / BAI, [Reuters Institute Digital News Report 2016 \(Ireland\)](#), June 2016

Amongst other media types, the internet now has a significant lead as a primary source, at 23% (compared to 17% and 8% for radio and press respectively). However, radio is widely used as a secondary source, and thus just over 50% of report that is one of their sources. (At an international level, this is unusually high – the EU27 average is 38%).

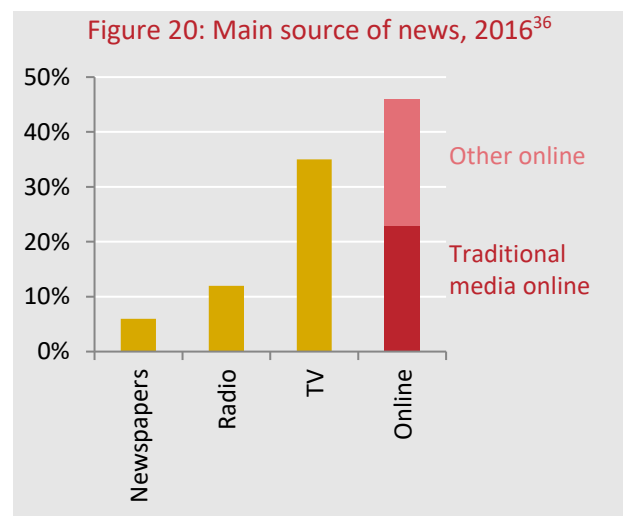
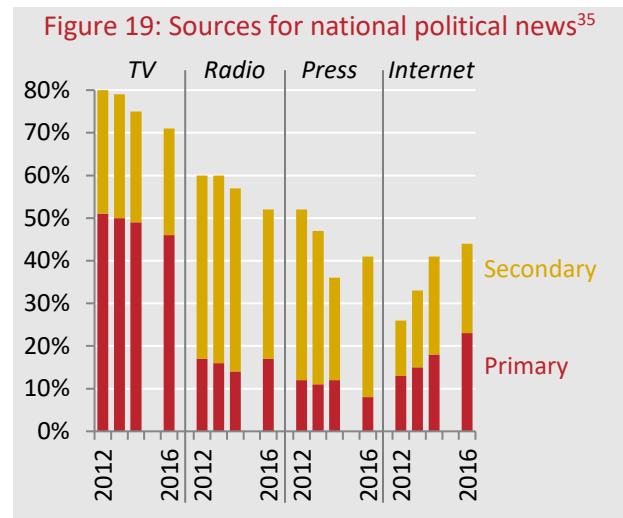
Press is now used as a source by fewer people than use the internet (41% vs. 44%), and given the direction of travel of the two media types, this gap is likely to widen.

Note however that this doesn't necessarily imply that the influence of newspapers is falling – as we have noted, a portion of the online consumption of news will be via newspaper websites.

The Eurobarometer survey also split internet news sources between 'websites' and 'social networks'. Of respondents, 32% reported websites as a source, and 24% social networks.

The Reuters Institute survey (conducted online) asked respondents which media was their *main source* of news. Over 45% stated online was their main source, ahead of television.

Consistent with the other surveys, the Reuters Institute found print newspapers to be the least important of the four sources. However, 20% said that newspapers were most important when their online editions were included. This compares to approximately 40% citing TV broadcasters (on TV or online).



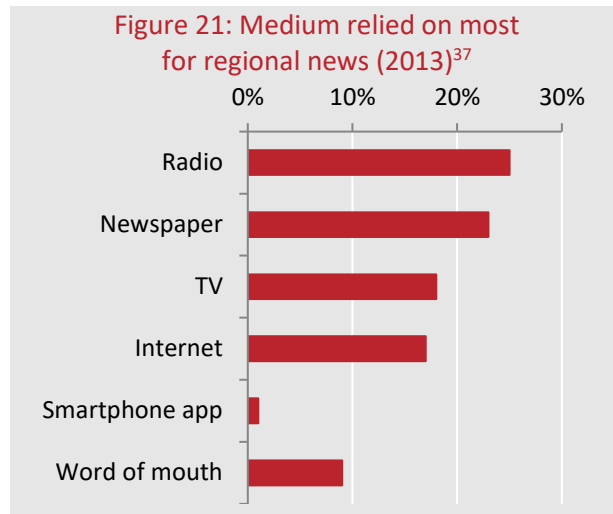
<sup>35</sup> EC, [Standard Eurobarometer 78 Tables of Results](#), 2013. EC, [Standard Eurobarometer 80 Tables of Results](#), 2014. EC, [Standard Eurobarometer 82 Tables of Results](#), 2014. EC, [Standard Eurobarometer 86 Annex](#), 2016. Note that the results from 2015 appear anomalous, and we have omitted them. For example, the reported figures for 2014/15/16 for those using radio as a secondary source were 43%/16%/35%

<sup>36</sup> YouGov survey for Reuters Institute, 2016. (Fieldwork Jan-Feb)

### Regional news

The Crowe Horwath survey asked respondents which medium they *relied on most* for regional news (Figure 21).

Radio and newspapers are the most important, though not by a wide margin. In 2013, 14% said they used the internet or a smartphone app. The figure is likely higher today. However, given the relative lack of independent online local news providers, it seems likely that this online usage is of news provided by local newspapers or radio stations.



According to the Reuters survey, approximately half of the users of local newspapers *only* use them via print – this compares to one in five for the major national titles.<sup>38</sup> This underlines the importance of digital development for the long term future of local titles.

### Conclusions

While the details of the surveys are different, a broad pattern can be determined, namely:

- TV is a critical source for national news
- The internet is not far behind, and (depending on metric) may now even be ahead
- Radio is ranked third for national news, but leads for local news
- Print newspapers are now fourth for national news, and are waning. That said, they remain important for local news, and contribute substantially to online consumption

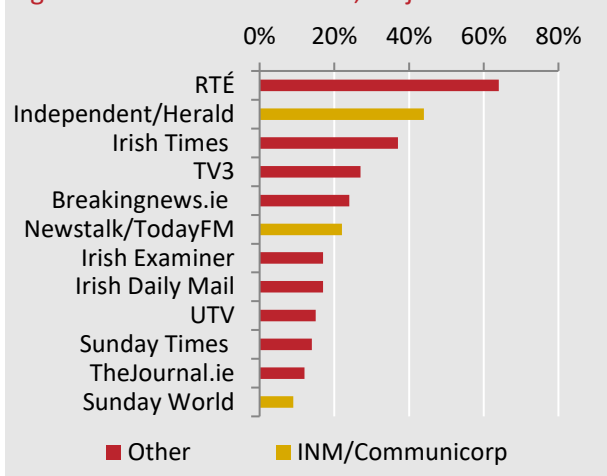
<sup>37</sup> Crowe Horwath [for BAI], [Review of Funding for Public Service Broadcasters](#), 23 May 2013

<sup>38</sup> YouGov survey for Reuters Institute, 2016. (Fieldwork Jan-Feb)

## Cross-media consumption

The metrics for individual media (circulation for newspapers, hours of listening for radio and so on) are not mutually compatible. However, the Reuters survey does allow us to understand reach across media – how many respondents report consuming RTÉ news (say) on any platform (Figure 22). By some margin RTÉ leads, followed by the combined Independent, Sunday Independent and Herald. Of the survey’s respondents, 44% reported using one of these newspaper brands (in print or online) in the past week. Twenty-two percent said they used at least one of Newstalk and TodayFM. (There will be some overlap between this 22% and the 44% reading the INM papers).

Figure 22: Cross media reach, major Irish sources<sup>39</sup>

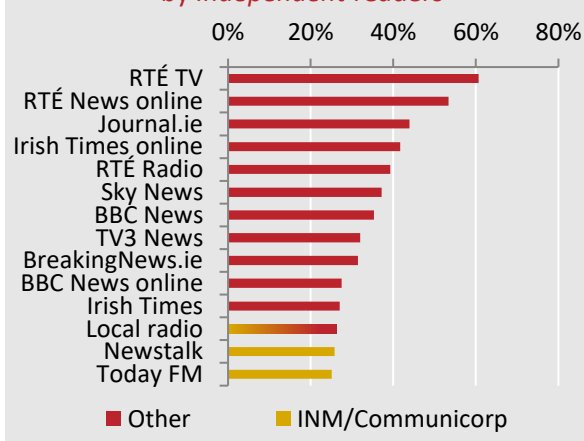


## Multisourcing

Finally we consider multi-sourcing – the degree to which consumers each take news from multiple sources, ensuring exposure to diverse viewpoints. The Reuters Institute survey allows us to estimate the number of organisations from which the average person has seen news in the last week. For national and international news, the average over 6.<sup>41</sup> However, this figure includes a number of international outlets, such as the BBC and CNN, which might be expected to give less coverage to Irish national news. Focusing just on Irish outlets, the average person sees news from 3.8 organisations each week (excluding local newspapers and radio).

The Reuters Institute survey also allows an assessment of other sources seen by users of a given outlet. We take as an example readers of the *Irish Independent* (Figure 23). Over 60% of *Independent* readers also consume news from RTÉ TV. Over 40% see the *Irish Times* online, and a quarter in print. Overall, there is significant exposure to a range of sources for *Independent* readers.

Figure 23: Other news sources most used by *Independent* readers<sup>40</sup>



<sup>39</sup> YouGov survey for Reuters Institute, 2016

<sup>40</sup> YouGov survey for Reuters Institute, 2016

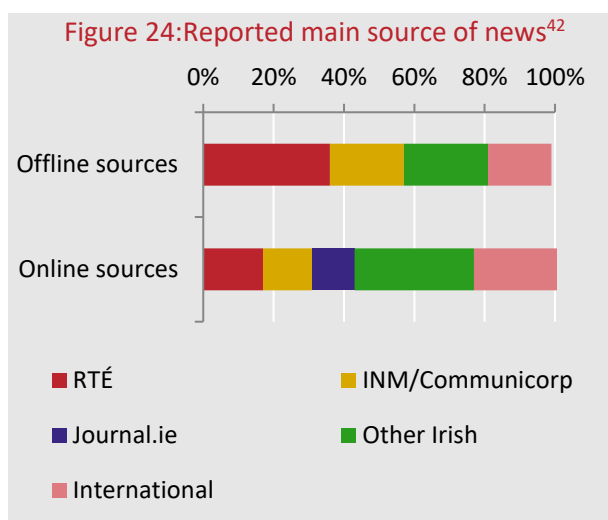
<sup>41</sup> Communications Chambers analysis of YouGov survey for Reuters Institute, 2016. Note that for this purpose Communicorp and INM have been treated as a single entity, given Denis O’Brien’s significant interest in both



## Conclusion

National news provision in Ireland is relatively concentrated. In the Reuters survey, respondents were asked their main source of news, offline and online. For offline sources, 36% cited an RTÉ outlet, and 21% an INM/Communicorp outlet (not including local Communicorp stations). The next largest Irish outlet was the *Irish Times*, named by just 5% of respondents. However, online consumption was less concentrated, with 17% and 14% naming RTÉ or a INM/Communicorp outlet. The Journal.ie, the main online source for 12% of Reuters' respondents, was almost as important as the various INM/Communicorp outlets online combined. This suggests that as Ireland's national news consumption shifts online and away from print, plurality may be increasing, albeit from a low base.

We note that some experts (in the context of the proposed merger and otherwise) have expressed concern about the current level of concentration of ownership of news media and its implications for plurality. Conversely, Irish consumers appear less concerned. In a recent Eurobarometer, 71% of Irish respondents agreed that the country's media provided a diversity of views and opinions, compared to an EU average of 66%.<sup>43</sup>



<sup>42</sup> YouGov survey for Reuters Institute, 2016

<sup>43</sup> EC, [Special Eurobarometer 452: Media pluralism and democracy](#), November 2016

## 5. The test to be applied

### The conceptual framework

This report seeks to assess whether “the result of the media merger is likely to be contrary to the public interest in protecting plurality of the media in the State” and provide “a recommendation as to whether the media merger should be put into effect with or without conditions or should not be put into effect”<sup>44</sup>

As we have noted, the Act and the Guidelines on Media Mergers provide a number of criteria against which to assess plurality. Some of these are matters of fact – ownership, market share and so on. Others relate more to objectives – “the undesirability of allowing any one undertaking to hold significant interests within a sector or across different sectors of media business”.

#### No ‘bright line’ test

Some countries have ‘bright line’ tests for plurality. In France, the L  otard Law precludes majority ownership of a broadcaster with 8% viewing share.<sup>45</sup> In Italy the Gasparri law says that no entity can own more than 20% of the number of national TV channels, or have more than 20% of the revenues of the ‘integrated communications system’. Such bright lines bring clarity, but on the other hand lack flexibility in what can be a rapidly developing market.

Neither the Act nor the Guidelines create such bright lines.<sup>46</sup> The Irish approach is based rather on judgement, within broad guidelines. (This is similar to the UK approach.) The INM/Celtic Media merger represents the first case where a merger has been referred to the BAI for such judgement to be applied.

We note in passing that at least one submission received misinterprets the Competition Act and the Guidelines to mean that there is a bright line that no party can acquire a *market* share of more than 20% of a particular media sector. (A similar misinterpretation is evident in two third-party reports cited in submissions). The 20% figure is in fact a threshold for an *ownership* share which is likely to represent a significant interest. Moreover, such a significant interest is not regarded as necessarily problematic by either the Act or the Guidelines.

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<sup>44</sup> ¶128 (E) 5 & 6. Law Reform Commission, [Competition Act 2002 Revised- Updated to 1 October 2015](#)

<sup>45</sup> With an exception for France T  l  vision

<sup>46</sup> We note however that the BAI Ownership and Control Policy places limits on ownership of radio stations. For example, ownership of 25% of radio stations is deemed unacceptable

### *Acceptable loss of plurality*

One important question that arises is *how much* loss of plurality is acceptable. The Media Merger Guidelines state:

“it is vital to the public interest that the State protect media pluralism as far as is practicable.”<sup>47</sup>

An absolutist reading of this would be that *any* merger that reduced plurality should be blocked, if practical. Since all media mergers are likely to reduce media pluralism (except those involving the rescue of a failing firm), such a reading would in effect mean that all media mergers should be blocked, it being ‘practical’ to do so via ministerial determination.

Such a reading does not seem appropriate. Moreover the Minister has determined that a number of media mergers to date (such as Virgin Media [TV3]/UTV) will not be contrary to the public interest in protect the plurality of media in the State.<sup>48</sup>

### *Thresholds for problematic loss of plurality*

The implication therefore is that ‘within limits’ diminution of plurality is acceptable. The only guidance on these limits in the Act or Media Merger Guidelines is the following statement in the latter:

“The concentration of ownership of media organisations into the hands of a relatively small number of individuals or businesses ... runs counter to the public interest that the organs of free expression should be overly influenced and potentially controlled by any one individual, group or organisation; as such it is undesirable to allow any one media business or individual to hold *excessive* significant interests”<sup>49</sup> [emphasis added]

However, what constitutes ‘excessive’ ownership remains a matter of judgement.

This is parallel (though inverse) to the UK concept of ‘sufficient’ plurality. The Communications Act 2004 specifies as a public interest:

“The need ... for there to be a sufficient plurality of persons with control of the media enterprise.”<sup>50</sup>

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<sup>47</sup> DCCAE, [Guidelines on Media Mergers](#), June 2015

<sup>48</sup> See, for example, Minister for Communications, Climate Action and the Environment, [Letter re the acquisition of UTV Ireland Limited by Virgin Media Ireland Limited](#), 15 November 2016

<sup>49</sup> DCCAE, [Guidelines on Media Mergers](#), June 2015

<sup>50</sup> [Communications Act 2003](#)

However, despite various applications of the public interest test and substantial work on the measurement of plurality in the UK, there is limited clarity on what ‘sufficient’ plurality means. In the Irish context, ‘excessive’ ownership may similarly be challenging to specify, though of course this does not preclude the application of reasonable judgement.

One consequence of the concept of ‘excessive’ ownership is that the test relates not just to the size of the media outlet(s) acquired. Rather the acquired business needs to be seen in the context of the existing holdings of the acquirer, to determine whether, in aggregate, they are contrary to the public interest. Put another way, an acquisition of a small target by another small player might be no cause for concern, whereas the acquisition of the same small target by an entity with substantial existing holdings might be problematic.

## **The locus of assessment**

### *Plurality assessment not anchored in ‘markets’*

A second important area for consideration is the appropriate ‘locus’ for assessment. In competition law, the locus is a market – very roughly, a set of products which are substitutes for each other.

However, plurality cuts across market lines. For instance, national TV advertising and local radio advertising may be deemed to be different markets. However, if the local radio stations in question are supplying substantial national news, then TV news and radio news might be within the same scope for a plurality assessment.

Conversely, a single market for TV advertising might include news and entertainment channels, but only the news channels would be in scope for plurality.

We will use ‘domain’ to refer to this scope for plurality, to differentiate from ‘market’ for competition assessment.

We note that the Guidelines do include market share as an indicator of pluralism, but clarifies that this will include ‘readership, listenership and viewership’. We therefore take this to mean that levels of consumption of an organisation’s outlets are relevant to understand the potential for an adverse effect, rather than that a traditional market must be the locus of assessment.

### *National vs local domain*

The most significant question of domain for the current transaction is national news vs local news. Should these two be

seen as completely distinct domains, where media power in one is of no relevance to power in the other (analogous to two markets, where share in one is irrelevant to market power in the other)? Or should the two be assessed in a holistic manner?

Note that this is quite different from the question as to whether the assessment should look across sectors (TV, radio, print and online). Clearly within local news or national news, each of these sectors is relevant. We also note that a single news outlet – for instance, a local radio station – might provide a mix of local and national news, and so be relevant to both domains.

In considering local vs national, we have been mindful of the rationale for protecting media plurality. According to the Guidelines for Media Mergers:

“[A] free and pluralistic media is an essential component of our modern representative democracy. The media enjoy a position of special rights and responsibilities and are an important conduit for the exercise of freedom of expression, the development of civic discourse and the proper and adequate representation of the diversity that exists in our society”.<sup>51</sup>

We take the view that ‘civic discourse’ may legitimately be considered to be about quite different issues in national and local media. National media is focused on the Oireachtas, local media on the county council; national media consider foreign policy, local media consider traffic; and so on.

Therefore, to meet the objectives of plurality, we need to prevent excessive concentration in each of local and national news. Plurality in one does not mitigate an absence of plurality in the other. If there was lively discourse, robust representation of diversity and so on at a local level, this would not mean that there should be no concern regarding a concentration of media power at the national level. To take an extreme case, if there was one owner of all national newspapers, this would undoubtedly be a problem, regardless of the diversity of ownership of local media. Thus we take local and national news to be distinct ‘domains’ for the purposes of plurality.

However, if local and national news are separate ‘domains’, then a second implication is that ownership of national outlets is not necessarily ‘additive’ with ownership of local outlets - a given level

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<sup>51</sup> DCCAE, [Guidelines on Media Mergers](#), June 2015

of local ownership of local outlets is not necessarily made worse (from a plurality perspective) by the co-ownership of national outlets.

The state of plurality needs to be assessed within each domain, with a combined presence across the two domains being a secondary issue, and relevant only to the extent that the local news outlets contribute to overall coverage of – and by implication, the shaping of views about – the national news agenda. (By analogy, a company with high market share in Market A is assessed solely on the basis of its power in that market – their share in a distinct Market B is irrelevant).<sup>52</sup>

### *Multiple local domains*

A further implication is that local news must be assessed on a local basis. A high degree of plurality in Cork would be of no help to citizens of Clonmel, if that town had a dominant media owner. Conversely, an owner who had one outlet in each of Clonmel and Cork would represent no greater threat to discourse or diversity in each town than would be the case if the outlets were separately owned. In effect, each local area is a ‘domain’ for the assessment of local news, alongside the national domain for national news.

### *UK precedent*

While different in a number of details, the UK has a plurality regime which has much in common with Ireland’s, not least in its objectives and its reliance on an approach based on judgement rather than bright line tests.

Regarding national and local domains, we note that Ofcom (the UK media regulator) took a broadly similar approach to that set out above in its 2012 plurality assessment of the Global Radio acquisition of GMG radio.<sup>53</sup> Ofcom noted that the parties provided both national and local news, but undertook separate assessments of the implications of the merger for ‘audiences for UK-wide news and current affairs’ and ‘audiences for local and regional news’. For the latter, it reviewed the impact separately for each region where Global and GMG overlapped.

### *Conclusion*

Thus our approach for the current assessment will be to consider plurality of national news and local news in various regions separately.

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<sup>52</sup> Setting aside certain special circumstances, such as upstream or downstream influence from one market to the other

<sup>53</sup> Ofcom, [\*Report on public interest test on the acquisition of Guardian Media Group’s radio stations \(Real and Smooth\) by Global Radio\*](#), 11 October 2012

However, this distinction is not absolute. To take a hypothetical, an entity that had taken against a particular political party might attack it through its national outlets, and also direct their local outlets to attack local TDs who were members of that party. In our assessment we consider the possibility of such ‘collective action’.

We also note that there can be some cross-over between national and local news. Local news outlets may seek to find a local angle to national news stories, for instance.

### **Significance of editorial independence**

The Merger Guidelines specify that

“The Minister will also have regard to the levels of control and influence exercised by the management structure of the media business on the editorial function”.

Unlike Irish broadcasters, newspapers are under no obligation to be impartial: indeed, the need for a plurality policy is based on the assumption that newspapers will take strong stances on certain matters. It is also based on a realistic assumption that proprietors will have views on such matters, and it is reasonable to assume that the newspapers they own might reflect them to some degree.

Editorial independence therefore needs to be seen within this wider context.

This is certainly highly relevant in a situation where two outlets in the same domain have common ownership. If these outlets have little editorial independence, then they may well take similar lines at the direction of the joint owner, to the detriment of diversity of content and consequently plurality.

However, we do not understand the Act or the Guidelines to mean that the views of an editor have, in some way, primacy over the views of an owner. Editorial independence has value in that it may support diversity if there are multiple outlets under single ownership. But if - in a given domain - we are considering a single outlet under a single owner, whether that outlet follows the views of the owner or the editor is not relevant from a plurality perspective.

### **Issues not in scope**

Finally in our discussion of the test to be applied, we set out here a number of issues that have been raised by respondents, but which

– in general - are outside an assessment of plurality (though we note some specific exceptions). This is not to say they are not significant, only that they are outside our scope. These issues include:

- *Competition.* The impact of the merger on competition is assessed by the Competition and Consumer Protection Commission, and the CCPC have already cleared the transaction.<sup>54</sup> We note that the Advisory Panel suggest (notwithstanding the CCPC's view) that the merger may be detrimental for plurality as a result of negative competitive impacts. The AP take the view that there may be a 'national market for local papers', and that both existing and prospective local news providers may be threatened by the transaction. However, we have deferred to the CCPC's conclusion in this area
- *Employment and employment practices.* In and of themselves, the preservation or loss of jobs and the terms of employment are not relevant to the public interest in plurality. However, if - say - a transaction were likely to result in major job losses and this affected the range of content produced by an outlet, this could be germane. Employment practices might also be relevant if they had implications for editorial independence
- *Aspects of media owners unrelated to their operation of media outlets.* The Competition Act (and the Merger Guidelines) seek to secure diversity of ownership and content. They do not specify tests to be applied to owners, though if a particular owner had a strong history of imposing homogeneity of output this might be relevant. However more general issues, such as whether a particular owner is litigious, are not relevant to a plurality assessment

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<sup>54</sup> CCPC, [\*Determination of Merger Notification M/16/044 –INM/CMNL\*](#), 10 November 2016



## 6. Assessment of the merger against the media merger guidelines

Based on the evidence and concepts set out above, we now consider the impact of the proposed merger on plurality, using the various criteria set out in the media merger guidelines. We begin by discussing the appropriate ‘locus of assessment’.

### Locus of assessment for this transaction

The Celtic Media titles are all local newspapers. We therefore believe that the primary domain in which to consider plurality in this transaction is that of local news and current affairs. As noted above, plurality of local news must be assessed on a local market-by-local market basis.

While INM has a strong position in national news, the acquired assets are not materially additive to this. They carry minimal national news (see the section on “Content” below). However, we do think it relevant to consider a scenario where this changed, and the CMNL titles hypothetically undertook ‘collective action’.

### Ownership and control

The transaction would give INM 100% ownership of seven Celtic Media local titles, with the potential for absolute control (though in practice there is likely to be appreciable editorial independence, discussed in greater detail below).

However, neither INM nor Communicorp has any other outlets which provide local news within the regions the Celtic Media titles cover (see page 13). Thus if the merger were to proceed, for each local news area of Ireland, there would be the same diversity of ownership of local news outlets as there was prior to the merger. The Celtic Media titles will continue to compete with other local newspapers, local radio stations and (in some cases) local online news providers. In effect, the transaction would be ‘one in, one out’ as regards local media owners in each local news area. As such, there would not be an impact on local news plurality.

We note that Communicorp’s Newstalk station does provide news on a wholesale basis to third party local radio stations, and some of these stations overlap with CMNL titles. However, since the news provided is national and international rather than local, it is not relevant to an assessment of local news plurality.

## Market share

### *Local news*

The guidelines note that “as the market share of undertakings increases, pluralism may be affected”. They also note that it may be appropriate to consider market share within geographical areas, and note the importance of looking across media sectors (TV, newspapers, radio, and so on).

Within certain markets, the share of Celtic Media newspapers is relatively high. In Westmeath, the *Independent* and *Examiner* have combined readership share estimated by the parties at 50-60%.

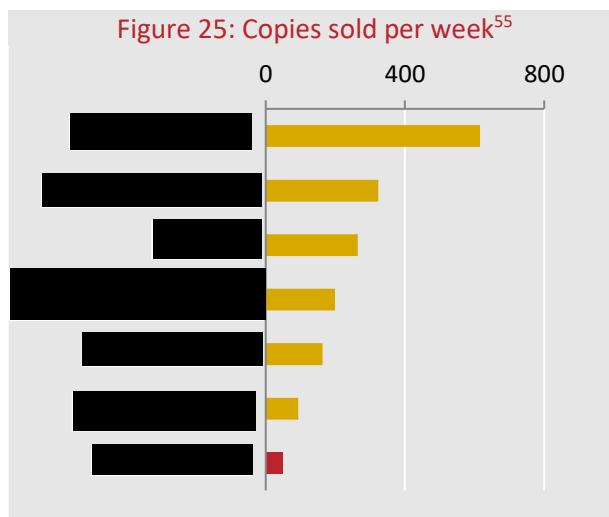
However as the guidelines note, it is an *increase* in share which would lead to concern regarding a potential loss of plurality. Since the merger would not combine two outlets serving the same area with local news, there would no increase in market share – whether assessed purely within local newspapers, or across outlets of different media types. Hence a concern regarding local plurality does not arise based on market share.

### *‘Collective action’*

That said, we have noted the theoretical possibility of ‘collective action’ – that is, that an owner might coordinate the output of national and local outlets to push a particular line. We believe there are a number of practical impediments to such a scenario, including editorial independence of the various outlets; the readers’ expectation of types of issues and content they expect to see in local papers; and so on. We also note that respondents have not provided evidence that INM has taken such collective action in the past across the local newspapers it already owns.

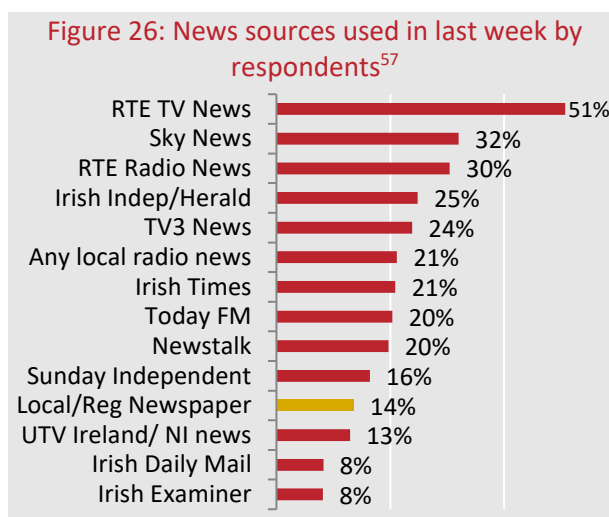
However, to explore the impact of such a collective action, we have considered the impact of combined national and local print circulation. One important factor is that local titles have lower frequency than most national titles – weekly rather than daily. For this reason, they have fewer opportunities to influence their readers than do the nationals.

Figure 25 shows the copies sold per week for the various INM titles (with the regionals grouped as one) and for Celtic Media. Celtic Media is clearly small relative to the nationals, with one third the copies sold per week of even the smallest national title (the *Sunday World*). As a portion of the total, Celtic Media would represent [REDACTED] of copies per week. Put another way, the weekly copy sales gained through the acquisition of CMNL would be appreciably less than the copy sales lost by INM just in H1 2016 due to the ongoing decline of newspaper circulations.<sup>55</sup>



For ease of comparison, we have considered Celtic Media alongside the INM print assets. If the Communicorp radio stations were brought into scope, the Celtic Media titles would be an even smaller proportionate increment in a ‘collective action’ scenario.

Finally, in this scenario the combined voice of INM, CMNL and Communicorp would need to be considered in the context of *all* competing national and local news outlets. According to the Reuters Institute survey, all local and regional newspapers in *aggregate* would only rank as the #11 source of news in Ireland (Figure 26). Thus the incremental share of voice which would derive from ownership of the CMNL titles within this much larger group of local and regional newspapers would be *de minimis*.



## Governance and editorial management

The principal concern under this heading is that the transaction might undermine the editorial independence of the acquired titles. Aspects to consider include:

- the extent to which the transaction might lead to higher levels of management consolidation;
- the extent to which the transaction might lead to greater management or shareholder control and influence over the content of the acquired titles,

<sup>55</sup> YouGov survey for Reuters Institute, 2016

<sup>56</sup> Communications Chambers analysis of ABC data

<sup>57</sup> YouGov survey for Reuters Institute, 2016

The guidelines also require the Minister to consider the effect of two pre-existing issues in the acquiring enterprise, notably:

- any declared political positions taken or endorsed by the acquiring party; and
- other relevant managerial behaviour that might bear upon the likelihood that the post-transaction company would abide by commitments – to editorial independence, or to other forms of management support or constraint – that the proposal binds them to.

### *Management consolidation*

The parties to the transaction have undertaken that there [REDACTED], beyond the obvious fact that Celtic Media will no longer be a separate company but will instead become an operating division of INM. Within this apparent constraint, INM have committed that [REDACTED]

The area of potential consolidation identified by INM and Celtic Media relates to digital services where [REDACTED]

[REDACTED] They therefore argue that this [REDACTED]

Objecting to the transaction, the NUJ<sup>58</sup> has pointed to the creation in 2013 of the post of Editor in Chief for the INM's national titles as evidence of a threat to the continued editorial independence of the Celtic Media titles – although, as is discussed below, the editorial reporting lines for INM's regional titles are kept separate from the national papers. The Advisory panel has also pointed to a risk to

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<sup>58</sup> Submission to the Oireachtas Committee, 7<sup>th</sup> Feb 2017, p.2

editorial independence in the structure adopted by INM for its national titles.

*Editorial Accountability to management / shareholders*

[REDACTED]

INM have also confirmed that, [REDACTED]

INM have further guaranteed that [REDACTED]

While these constitutional safeguards are not seriously disputed in the public and industry responses, the NUJ among others have observed that the editorial capacity for each title to follow its own priorities would inevitably be influenced by decisions about the level of resources to be made available to editors. We accept this point, but note that in practice resources may well also be constrained *absent* a merger.

*Declared political positions*

We discuss below in more detail the content analysis provided by the parties. In so far as the editorial proposition of any local or regional title may be influenced by a political agenda imposed from above, the parties point to both the editorial autonomy guaranteed to all editors, the insulation of the regional titles from editorial integration by INM's national titles, and the need for local titles to focus on local issues.

In relation to a specific political line being pursued by the their national titles, [REDACTED]

Nevertheless, respondents to the call for information have noted that Dennis O'Brien has instituted a large number of legal actions against journalists related to coverage of his business interests.

Professor Roderick Flynn, author of the 2016 CMPF report on the state of media pluralism in Ireland, referred in his evidence to the Oireachtas Committee hearing to his own small scale comparative study of coverage of Mr O'Brien in both INM and non-INM national titles.<sup>59</sup> This comprised case-studies of two news stories related to Mr O'Brien.<sup>60</sup> In one of these he found a statistically significant distinction of emphasis in the way INM's coverage was written. Dr Flynn has noted that a statistical correlation does not imply causation.<sup>61</sup>

However, neither this study nor any of the submissions gave empirical evidence of common editorial lines across INM local newspapers.

#### *Other relevant managerial behaviour*

While the parties to the transaction do not directly address this in their submissions, presumably on the basis that they do not consider there are any relevant issues to note, some respondents have pointed to procedural flaws in the way INM implemented its recent decision to cease funding its Defined Benefit pension scheme. When the issue was raised in the public hearing by the Oireachtas Committee, Mr Robert Pitt, CEO of INM, said that the company had acted within legal constraints and had since been actively engaged in finding a solution and bringing clarity to an issue that was of obvious concern to the staff affected<sup>62</sup>.

#### *Assessment*

In the current context, the significance of editorial independence (purely from a plurality perspective) is somewhat lessened since the merged entity will not hold multiple outlets in a given domain. Regardless of who sets the editorial line, the diversity available will not change in each region. (See the discussion above at page 30)

Nonetheless, the measures proposed by INM to support continued editorial independence at the Celtic Media titles are clear and measurable:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

<sup>59</sup> Official report of the Oireachtas Joint Committee, 7<sup>th</sup> February 2017: p.14

<sup>60</sup> Dr Roddy Flynn, *Media Ownership and Editorial Content: Four Case Studies*, 3 June 2016

<sup>61</sup> Hugh Linehan, "INM coverage of Moriarty focused less on O'Brien than Lowry", *Irish Times*, 3 June 2016

<sup>62</sup> Official report of the Oireachtas Joint Committee, 7<sup>th</sup> February 2017: p.24

- [REDACTED]  
[REDACTED]  
[REDACTED]

It is our judgement that the objections raised during the public consultation can be adequately met by the measures the parties intend to take:

- [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]
- there are safeguards against the danger of editorial content being skewed in favour of one person's business interests in the specifically local focus of the stories covered (discussed further in the next section)
- and the danger that content decisions may be skewed by the decisions about the [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

We note the points raised about INM management decisions in relation to the changes to the pension funding, but it is not our position to judge the merits of the case; and we do not consider that the issue has a bearing on the plurality of media as framed by the Act and Guidelines.

## Content

The principal concern raised in the Media Merger Guidelines is the extent to which the diversity of content may be reduced as a result of the transaction. Of the issues the Minister will consider, those concerning "internal" and "external" plurality, and a possible impact on the provision of content in the Irish language, seem less relevant in this case:

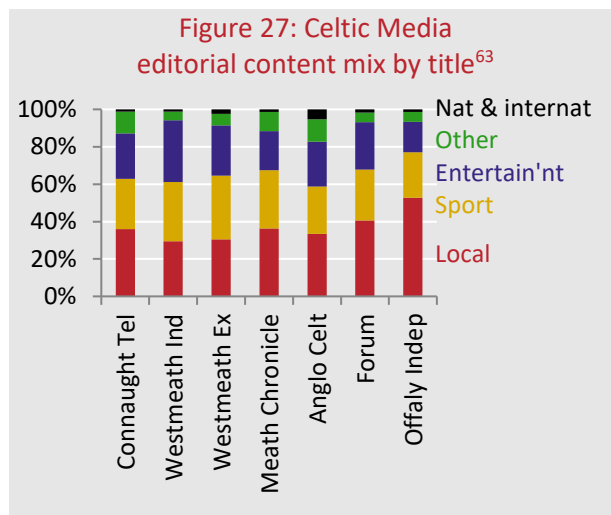
- the local nature of the content (as discussed below) may anyway limit the scope for differing points of view – beyond those required to ensure compliance with the relevant self-regulatory editorial codes
- the assessment earlier in this report suggests that the transaction is not limiting the range of content available in the areas affected
- and there is no significant provision of Irish language in the acquired titles

The three more relevant issues are:

- the diversity of content provided by the titles in question
- the sourcing of that content
- the risk of consolidation of content across titles

### Diversity

Celtic Media has provided a content analysis based on a categorisation of the predominant content by type in each quarter page of its titles, for a four week period in June 2016. As Figure 27 shows, national and international news is a very small portion of total editorial output, typically 1-2%. (The *Anglo Celt* was, in this period, a partial exception with 5% in this category). As might be expected, local news, sports and entertainment dominated. (We have excluded advertising content from our calculations. For most titles this is in the region of 20% of page area).



While we have not independently validated Celtic Media's data, a review of recent front pages for the titles support the view that they are heavily locally oriented. Reproductions of the home pages of the various titles are available in the Annex at page 48.



This clearly supports the argument flagged in the previous section – that the focus on local content across the titles acts as a powerful safeguard against any undue influence of a national agenda being imposed on the local titles.

This is reinforced by the observations of both parties in their formal submissions to the BAI. Celtic Media say that their papers “tend not to editorialise” and that, where there are opinion pieces, they are

<sup>63</sup> Celtic Media



focused on local issues and “less strident and opinionated than found in national titles”.<sup>64</sup> INM point to their track record [REDACTED]

This is reinforced by the list supplied by INM of the controversial subjects that have been covered by their local papers<sup>65</sup>. While we have not undertaken our own detailed content research to verify that this list is representative, it is nevertheless indicative of a distinctly local flavour to the issues the papers chose to focus on.

### *Content Sources*

Given the local nature of the newspapers, it is understandable that both Celtic Media and INM titles should rely very heavily on local journalists for their content. Celtic Media report that 100% of their news, sports, current affairs and cultural interest content is derived from local sources, while for INM the amount of locally sourced content in their regional titles is [REDACTED] (the [REDACTED] being made up of agency provided lifestyle content, including crosswords provided by the Press Association or specialist film reviews. Negligible use is made of externally sourced news.

### *Consolidation of content*

Given the local nature of their content, both parties submit that [REDACTED]

As noted in the previous section, [REDACTED]

<sup>64</sup> CMNL Submission to the BAI, 14 Feb 2017, p.7

<sup>65</sup> Media Merger Notification Form, 21<sup>st</sup> November 2016: p.33

<sup>66</sup> Joint response to BAI request for information, 30 January 2017, p.8

[REDACTED]

[REDACTED]

There is no suggestion, however, that this will require the consolidation of content between titles: instead [REDACTED]

[REDACTED]

[REDACTED]

### *Assessment*

As noted in response to other of the criteria, we judge that the local and regional nature of the transaction is the key determining factor to how it should be assessed, and this is reinforced by the analysis of content and editorial strategy. There is no convincing evidence that the content of the acquired titles would become less local post transaction: and it is notable that the responses to the public consultation are largely silent on any such concern.

From a plurality perspective, it is of crucial importance that local and regional content should be locally and regionally sourced: the balance of in-house to freelance journalists is of less obvious importance (though we recognise this is a legitimate concern for employees and their representatives).

It is worth noting both that INM cite [REDACTED]

[REDACTED]

[REDACTED] and their belief, set out in the Media Merger Notification, that [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This is clearly less than a guarantee of future employment, and the Advisory Panel recommend that this should be addressed by a condition for the merger relating to future employment for editorial staff. However, we believe that to extract such a guarantee would be unrealistic, given the challenging market dynamics noted in earlier parts of this report, with a disproportionate impact upon the other INM regional titles who might be forced to bear a greater portion of any necessary cost reductions. A de facto subsidy from INM to CMNL for certain staff levels might also be disadvantageous for the local competitors of the CMNL titles.

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<sup>67</sup> Media Merger Notification , 21 November 2016: 3.12.3

But, taken alongside the commitment given to the Joint Oireachtas Committee that all existing Terms and Conditions will be honoured<sup>68</sup>, the undertakings in the Joint Notification offer a realistic degree of protection for CMNL staff.

Nevertheless, the existence of two rival sets of employment terms might be difficult to sustain in the long term. One instance where this might be relevant is the Grievance process offered by both companies, copies of which were submitted as evidence of their respective internal governance. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

INM have undertaken to discuss [REDACTED]  
[REDACTED].<sup>69</sup> While it falls short of a concern, the BAI might nevertheless usefully explore how INM will manage any disparity in employment terms in future.

## Financial

The merger guidelines note that the “financial structure of media businesses may have important implications for the ownership, control and independence of the media businesses”. Debt structure may have implications for “sustainability of the proposed post-merger media business(es)”, and the “higher the degree of consolidation of the financial structure between the parties ... the more likely it is that this may affect media pluralism”.

In this section we consider these issues, as well as the sustainability of the CMNL titles *absent* a transaction.

### *Sustainability of the businesses after the transaction*

The transaction is to be funded from INM’s cash reserves, and is on a debt-free basis. As of June 2016, INM had no borrowings, and the business is profitable.<sup>70</sup> The acquisition is small relative to the scale of INM’s business. We therefore see no threat to the sustainability of the post-merger combined business as a result of the transaction. (This of course is not to say that the acquired titles have a guaranteed future under INM ownership – see below).

---

<sup>68</sup> Official report of the Oireachtas Joint Committee, 7<sup>th</sup> February 2017: p.19

<sup>69</sup> Submission by Independent News and Media PLC, 14 February 2017: section 4 (viii)

<sup>70</sup> INM, [INM PLC 2016 Interim Results Announcement](#), 26 August 2016

### *Financial consolidation*

[REDACTED]

### *Sustainability of CMNL absent a transaction*

The challenges of the local newspaper business are well understood. Classified ad revenues have been badly affected by specialist online sites such as Indeed.ie, Daft.ie and Autotrader. Display ad revenues and circulation revenues are both being affected by declining readership.

As a consequence, local newspapers in many markets are financially challenged. The UK, for example, has seen a net loss of 198 local newspapers between 2005 and 2016 (with a current total of approximately 1,100 remaining).<sup>71</sup>

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

---

<sup>71</sup> Jasper Cox, "[New research: Some 198 UK local newspapers have closed since 2005](#)", *Press Gazette*, 19 December 2016



### **Scale and reach of RTÉ and TG4**

Neither RTÉ nor TG4 has a position in local news, since their television services and RTÉ's radio services are national only. They are thus not relevant to an assessment of local news plurality, our primary locus.

### **Part 6 of the Act of 2009 and the ownership and control policy of the BAI**

The BAI has not yet made any determination in relation to the proposed transaction in the context of Part 6 of the 2009 Act or the BAI Ownership and Control Policy 2012.

## 7. Conclusions

As a result of the foregoing analysis, we conclude that the acquisition does not pose a threat to the plurality of media, and should therefore be allowed. We do not consider it would be necessary to impose conditions on the parties before permitting the acquisition, but we have noted that there are some issues in relation to the terms and conditions of current employees that might usefully be discussed between BAI and INM.

In forming our conclusions, there are two important pieces of context which form the backbone of our analysis in section 5 of this report:

- First, our judgement that it is appropriate to assess this acquisition only in relation to its impact in the local and regional domain, not the national
- And second, this focus stems from the particulars of this transaction, and should not be seen in any way to reflect on legitimate concerns about the impact of other mergers or acquisitions, either at local or national level

We note that many of the submissions in the public consultation have referred to recent reports of the high levels of media concentration in Ireland. It is therefore important to stress that, in forming our judgement we are not questioning the overall thrust of those judgements.

In judging that the acquisition is not contrary to the public interest, we have been guided by a number of aspects of the transaction, some related to the structure of the local press industry post-transaction, and some related to the institutional and behavioural safeguards committed to by INM.

### *Market share related*

- The Celtic Media titles are all in areas where there is no INM regional paper – with the exception of some very modest overlap – so there is no numerical diminution of the number of providers of news
- The Celtic Media papers are also in areas where there is no direct overlap with Communicorp stations, so, to the extent that the radio holdings of Mr O’Brien are relevant media assets, there is no cross media plurality impact
- The capacity of local titles to be used to reinforce national agendas being run by the INM national titles or to influence the national debate is limited by the very modest increase

in combined national+local circulation (around [REDACTED]), and a much smaller increase in share of overall national news 'voice'

### *Behavioural*

- The commitment made by INM to [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]
- The analysis of content, and the list of issues recently highlighted by the newspapers in question – including INM regional titles – reinforces the contention that the transaction will not result in either a consolidation of content across titles, or the imposition of a national agenda on local papers
- The commitments [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

The combination of these factors persuades us that the acquisition is in the public interest and should be allowed to proceed.

We have carefully considered the suggestions by respondents that if it is allowed to proceed, the transaction should be dependent on some binding undertakings by INM. While recommending that the merger should be approved, the Advisory Panel have nevertheless recommended that such approval should be subject to conditions in relation to economic safeguards; safeguards for staff and operating policies; safeguards in relation to editorial policies; and safeguards in relation to the local identity of the CMNL titles. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

We do not on balance think the transaction needs to be dependent on such binding commitments on INM. The suggested conditions would be more appropriate if the case could be made that there was a significant reduction in the available sources of news and opinion which would result from greater concentration at the local

level: but as we have discussed above, this argument is hard to sustain. Conditions could be applied only to the CMNL titles, potentially distorting future management responses to changing market conditions, by forcing changes to be focused only on the INM titles.

Nevertheless, as the discussion above makes clear, the parties have made based their notification around some clear commitments around the governance arrangements post transaction. These fall short of guarantees, but the BAI might wish to ensure that these conditions should not only be implemented at the point of merger, but that the parties should commit to keeping them in place for a reasonable period of time.



## 8. Annex: Sample front pages of Celtic Media titles

In this section we provide front pages (as presented by their websites) of the Celtic Media newspapers, as of 30 January 2017. We have omitted certain elements (notably advertising) to improve readability.



## 5K a day challenge to conclude this weekend ... with a marathon!



27 Jan 2017  
More than €5,000 raised by Athlone man for Pieta House

[read more](#)

### Latest News

#### A sporting heart



27 Jan 2017  
Athlone sportsman is an inspiration to all

### Sport

#### Moate CS march on to book historic Leinster final place



Championship final

19 Jan 2017  
A first half goal from Robbie Forde yesterday (Wednesday) helped Moate Community School book their place in the Leinster Schools SF 'A'

#### Voting lines now open for Readers' Choice in Sports Awards



27 Jan 2017  
The 2016 Westmeath Independent Sports Awards will take place in the Shamrock Lodge Hotel, Athlone on Friday evening, March 3.

#### Moate face vaunted Wexford outfit for Leinster final place this afternoon



18 Jan 2017  
Community School hoping to put recent disappointments behind them

#### One-way system in Athlone 'essential' for safety reasons



safety of people walking and cycling on Church Street

26 Jan 2017  
A local resident joined the debate on the proposed one-way system in Athlone this week by arguing that the change is needed to protect the

#### Padraig Pearse's senior football management team revealed



16 Jan 2017  
Former inter-county players Grehan and Whyte on board for the county finalists

### More News

#### Over 500 Moate CS fans set to travel to Leinster decider



Leinster Schools' Senior Football Championship.

26 Jan 2017  
More than 500 supporters are expected to travel from Moate to Portlaoise tomorrow (Friday) to cheer on the local Community School in the final of the

### Entertainment

#### Westmeath pub sends a strong message to Italy!



22 Jun 2016  
Threats to boycott wine, chippers and Italian restaurants

#### Dessie's home improvements to be shown on RTE



25 Jan 2017  
GAA star to feature on 'Room to Improve'

#### US country star to play Tuar Ard



17 Jun 2016  
Tuar Ard Moate hosts a must-see show for country fans on Tuesday, June 28 next as American country singer/songwriter Phil Vassar performs in the venue backed by the prestigious Sheerin Family Band.

#### Major €3 million Church Street project delayed after mistake by council



Council, it has just emerged.

25 Jan 2017  
PLANS TO rejuvenate Church Street in Athlone, at a cost of €3 million, have been delayed after an embarrassing mistake by Westmeath County

#### Ireland's big game to be shown live in Athlone square



13 Jun 2016  
A big screen has been erected in Athlone's John Count McCormack Square (formerly the Civic Square) to show Euro 2016 games, including Ireland's crucial clash against Sweden at 5pm today.

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Westmeath Independent



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HOTEL

## A stroll with the Boherquill Ramblers



27 Jan 2017  
Get out in the fresh air

[read more](#)

### Latest News

#### Mullingar Courthouse to reopen later this year



26 Jan 2017  
Mullingar Courthouse is due to reopen later this year, Justice Minister Frances Fitzgerald has confirmed.

### Sport

#### Cribbin ready to blood new talent in cup



05 Jan 2017  
Westmeath senior football manager Tom Cribbin has high hopes for some of the younger, less experienced players who featured for Westmeath towards the end of last year in challenge matches.

#### Red light "chaos" at Mullingar's Green Bridge



25 Jan 2017  
Amount of "rule breaking" leading to

#### Red letter day awaits Rosemount



25 Nov 2016  
THIS coming Saturday promises to be a red-letter day for Rosemount GAA club, as the black and amber men compete in their first ever Leinster Club IFC final.

#### Underage drinking 'out of control' in Mullingar says father



24 Jan 2017  
"Publicans don't seem to care for the wellbeing of the child"

#### National sporting heroes coming to Ballymore event



21 Nov 2016  
Two former Irish rugby internationals and an All-Ireland winning football player are coming to Westmeath in December, to speak at a major seminar focusing on mental well-being.

### Have you seen?

#### Latest Video



Whelehan's Pharmacy - Cardio Screening



Whelehan's Pharmacy: Waxing Wednesdays 10%



Peter Malryn Special Olympian double-medal winner



Preview of 25th July edition

winner

Beauty Launch!

### More News

#### Property valuations up for discussion at Town Team meeting



19 Jan 2017  
Concern has arisen

### Entertainment

#### Top eight best Christmas ads of all time!



23 Nov 2016  
Ho Ho Ho!

#### Varadkar to address FG Brexit meeting in Mullingar



18 Jan 2017  
Fine Gael Brexit Response Public Meeting, Mullingar Park Hotel, Thursday 19 January, 8.30pm

#### WATCH: Westmeath Examiner take on Mannequin Challenge



15 Nov 2016  
It was hard to stay still for so long!



# Meath Chronicle

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## Smiles better for Regina and Helen?



27 Jan 2017

Visit of Leo Varadkar to Dunshaughlin brings Meath East TDs together after recent spat  
[read more](#)

### Latest News

#### Rhyme and Reason

27 Jan 2017



Local artist Steo Skitz is giving the stigma attached to mental health a bad rap. Having suffered depression and anxiety himself, he is keen to help others and all proceeds from his recently launched album 'The War Within' will go to providing...

### Sport

#### NEFL focus - Trim Celtic v Navan Cosmos Monday night



29 Jan 2017

The North East Football League exited the FAI Oscar Traynor Trophy yesterday against hosts Carlow who earned a quarter-final tie away to the Limerick League at the beginning of March.

#### Meath towns designated Rent Pressure Zones



27 Jan 2017

The move will protect tenants from exorbitant rent increases.

#### Hastings Cup success for Meath



29 Jan 2017

It wasn't easy, but Meath won the Hastings Cup today at Abbeylara with a 3-10 to 1-14 victory over Longford following an exciting game that needed extra-time to find a winner after the sides were tied at Meath 2-8, Longford 1-11 at the end of...

#### Are you missing an engagement ring?



26 Jan 2017

Someone out there must be frantic about this...

#### Brennan points St Colmcille's to All-Ireland final



29 Jan 2017

Ben Brennan did again. This time his injury-time heroics earned St Colmcille's an All-Ireland IFC final place following a stunning 3-11 to 2-13 semi-final victory over Tyrone champions Pomeroy in the Gaelic Grounds...

### Have you seen?

#### Latest Video



Navan house used as drug den



Experience Farmaphobia at Causey Farm



MH CHRONICLE-SHC Longwood score pen v Kildareky Sept16



MH CHRONICLE: Donal Keegan point SFC Aug18

### More News

#### School pays tribute to 'gentle presence' Daniel



24 Jan 2017

"We will greatly feel the loss of Daniel and miss his quiet gentle presence among us."

### Culture

#### Disco Dessie to dance like Austin Powers



27 Jan 2017

It's week four of Dancing with the Stars, and one more celebrity will be waltzing their way out of the competition for good.

#### BREAKING: Boy (7) injured in Meath crash passes away



23 Jan 2017

Daniel O'Keeffe died a week after his mother Emma was laid to rest

#### Éanna to compete for Ó Riada Gold Medal



24 Jan 2017

Éanna Ó Cróinín will be one of 14 musicians in the final, both pipers and harpists, at the concert in the Rochestown Park Hotel in Cork.

## Man killed in road traffic accident at Lavey



20 Jan 2017  
Gardai are investigating a single vehicle fatal road traffic collision, which occurred at approximately 5.38pm yesterday evening (Sunday), January 20, at Lower Lavey on the N3, Co Cavan.  
[read more](#)

### Latest News

Tom, legend of GAA officialdom, enters Hall of Fame



Treasurer of Cavan County Board for 28.

29 Jan 2017  
Mention the name Tom Boylan to any member of the GAA fraternity in Cavan and indeed in any of the 32 counties and his virtues will be extolled far and wide. Tom was the

### Sport

Cavan ladies confirm new management



20 Jan 2017  
New boss in place after tumultuous week.

Cavan has 'one of worst' drink driving records



described as 'disgraceful displays of driving' on local...

28 Jan 2017  
The Chief Superintendent for the Cavan Monaghan Garda Division, Christopher Mangan, has called for extra resources to address what he

'I did this for the players'



19 Jan 2017  
Cavan ladies manager blasts ladies board as he dramatically resigns.

'Positives to take from Hastings Cup' - Lynch



21 Jan 2017  
U2 is out warm-up competition with Meath loss

Cavan out of McKenna Cup after UU defeat



18 Jan 2017  
First defeat on Mattie McGleenan's watch

### Have you seen?

#### Latest Video



Martin Reilly - Cavan Footballer, video footage UCA/MAH Award for month of May MVI 9595



Ernest Cahill singing Come Back Paddy Reilly MVI 2336



140416 Sean Johnston MVI 2341



Rosena Jordan at Virginia NS 2 MVI 2332

### More News

What's on for the weekend



27 Jan 2017  
Wondering what to do for the weekend? Let us help you decide, check out our what's on event guide.

### Entertainment

What's on for the weekend



20 Jan 2017  
Wondering what to do for the weekend? Let us help you out with our What's On event guide...

Doctor 'shocked' to discover at-risk labouring mother was hyper-stimulating



27 Jan 2017  
A ruptured uterus is the 'absolute emergency' that everyone is trying to avoid for a mother with a previous caesarean section, a Medical Council inquiry has been told, writes Liz Farsaci.

Royal School seeks to raise €30K for sport facilities



13 Jan 2017  
This Friday, January 20, some 100 musicians and singers will take to the stage of the Hotel Kilmore, Cavan, from 8pm to perform a 'Gala Concert'. The event is to raise funds to develop much needed on-site...

'It is a problem in every town' in the country



26 Jan 2017  
The Cavan Monaghan Divisional Drugs Unit will be back in operation in a matter of weeks after a four-year hiatus. Chief Superintendent Christopher Mangan told the County Cavan Joint Policing Committee (JPC) that the...

What's on for the weekend



13 Jan 2017  
Wondering what to do for the weekend? Let us help you out with our what's on event guide...

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## Ashbourne

### Linear Park on track for Ashbourne



Civic Offices for review and comment.

13 Dec 2016

THE first phase design for the Ashbourne Linear Park is currently on public display at the Ashbourne

## Dunboyne

### Ratoath boxes clever for a perfect eight



Championships.

14 Dec 2016

RATOATH Boxing Club has enjoyed great success over the past few weeks at the Louth Open and Meath

### Food appeal reaches new heights



13 Dec 2016

THE Tesco Ireland annual two-day food appeal held in Tesco Ashbourne, Bettystown and Navan stores in partnership with the Lions Club has collected over €6,600 for families in need.

### Irish Cancer Society calls on every hospital to 'park the charges'



13 Dec 2016

Report on car parking charges reveals lower costs for patients in Leinster

### Thinking about choosing a dog this Christmas?



12 Dec 2016

With just a few weeks to go Christmas present panic has begun. If you were planning on getting a dog this year, Dogs Trust asks that you think twice before you commit.

### Royal Gaels take the crown at GAA awards to round off a stellar year



12 Dec 2016

IT was a night of celebration after a hugely successful year as the Royal Gaels took home six awards at the sixth annual Meath Ladies GAA awards at the Castle Arch Hotel, Trim on Friday.

## Dunshaughlin

### Delay in Aldi Decision



supermarket in Dunshaughlin.

11 Nov 2016

AN Bord Pleanála has put back the date for making a decision on whether to grant planning permission for an Aldi

## Ratoath

### Councillor calls for action on social housing land



the construction social housing in our part of County Meath."

11 Nov 2016

ACCORDING to Ratoath Councillor Nick Killian, Chair of MCCs Housing Committee "we now find that Meath County Council have no land available for

### My Daddy plays football for Ireland



06 Oct 2016

IT'S not every little boy who can tell his friends that his "Daddy plays for Ireland" so when Euro footie fever hit the ABC Club in Dunboyne, Dylan McElligott was proud to put his hand up...

### Nominations open for Meath's outstanding young people



05 Oct 2016

The second annual Meath Garda Youth Awards was launched last week to recognise and acknowledge the good work carried out by the young people in the county's communities.

### Volunteer Award for hero David



05 Oct 2016

DAVID Lloyd of Dunshaughlin was named Volunteer of the Year at the 2016 Ratoath Municipal District Pride of Place awards held in Dunshaughlin last week. David has been an integral part of the work of Dunshaughlin...

### Drop in number of homeless



same period in 2015.

28 Sep 2016

ACCORDING to figures released by Meath County Council 183 households presented to the office in the Jan-Jul 2016 period, compared to 231 in the

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## Tullamore native is new CIF president



28 Jan 2017  
A Tullamore builder has been appointed as the new president of the Construction Industry Federation (CIF).  
[read more](#)

### Latest News

#### 'It was a bombshell' says Clara mother after cervical cancer diagnosis



27 Jan 2017  
A young Clara mum of two who was diagnosed with cervical cancer last year has spoken out to encourage other women in their twenties to have a smear test.

#### Broken train station lift hits disabled hardest



27 Jan 2017  
Wheelchair users in Tullamore are afraid that they will be "trapped" on the train when travelling from Dublin as the station's wheelchair lift is out of order once again, a local councillor has said.

#### Rhode student sets his sights on Winter Olympics skiing medal



26 Jan 2017  
A Rhode student has set his sights on becoming the first Irish person to win a medal at the Winter Olympics.

### More News

#### Hundreds of local families missing out on tax credit



26 Jan 2017  
Hundreds of Offaly families with a stay at home parent are missing out on a tax credit worth €1,000 per year.

#### Over 500 Moate CS fans set to travel to tomorrow's Leinster decider



26 Jan 2017  
More than 500 supporters are expected to travel from Moate to Portlaoise tomorrow (Friday) to cheer on the local Community School in the final of the Leinster Schools' Senior Football Championship.

### Sport

#### Lowry named Offaly Sports Achiever of the Decade



18 Nov 2016  
Another accolade for popular Clara man

#### BREAKING: Tullamore woman to make Irish Rugby debut



16 Nov 2016  
Tullamore club member to start against Canada

#### Tullamore boxer Grainne backs Fight for the Girls campaign



14 Nov 2016  
Local boxer Grainne Walsh of Spartacus Boxing club took time out of her hectic training schedule for the upcoming European Women's Elite championship to support the Breakthrough Cancer Research's...

### Entertainment

#### Sleeping Beauty The Panto at Draiocht January 2017



13 Jan 2017  
Coolmine Panto Group, who have been performing panto for over 30 years, are back in Draiocht Blanchardstown for 17 Performances this January including their first ever Relaxed Performance / Autism Friendly Show on...

#### VIRAL: The long journey home from Shinrone



24 Oct 2016  
One Offaly man went viral this weekend as he snapchatted his journey home after a night out in Shinrone to the small hamlet of Rath.

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