

IN THE MATTER OF THE APPEAL BOARD OF THE FOOTBALL  
ASSOCIATION

BETWEEN

CIRENCESTER TOWN FC

Appellant

and

THE FA ALLIANCE COMMITTEE

Respondent

---

DECISION AND WRITTEN REASONS OF THE APPEAL BOARD

---

**Introduction**

1. The Appeal Board conducted a hearing on Thursday, 1 June 2023, to determine an appeal by the Appellant against a decision of the Respondent, dated 15 May 2023.
2. This hearing was conducted by correspondence.
3. The Appeal Board consisted of Mr Paul Tompkins (Chairperson), Mr Robert Purkiss MBE, and Mr Glenn Moulton. Mr Paddy McCormack, the Judicial Services Manager, acted as Secretary to the Appeal Board.

**The Hearing**

4. The Respondent, on 15 May 2023, notified the Appellant of their decision that the Appellant was not to be laterally moved from the Southern League Division One Central.
5. The Appeal Board carefully considered the submissions of the parties and the appeal bundle. The Appeal Board thank both parties for the manner in which they provided their written submissions and in particular the a thorough and objective manner in which the Appellant had approached the appeal.
6. The Appeal Board noted that the Appellant was appealing on the following ground(s) in that the Respondent:
  - a. Failed to give the Appellant a fair hearing; and/or
  - b. Came to a decision to which no reasonable such body could have come.

**Decision**

7. The Appeal Board dismissed the appeal on both grounds.

8. The Appeal Board reached this decision considering the following:
  - a. The following is a summary of the primary considerations of the Appeal Board, however the absence in these reasons of any particular point, or submission, should not imply that the Appeal Board did not take such point, or submission, into consideration when it considered the matter and reached its findings.
  - b. On the first ground of appeal, that the Respondent failed to give the Appellant a fair hearing, the Appeal Board took notice of the fact there had not been a first instance hearing and interpreted the ground of appeal as one against the process which had been adopted. The Appeal Board was satisfied that the process had been applied equally across the National League System and that the same criteria had been applied when allocating all clubs and the process had not placed the Appellant at any disadvantage nor had the Appellant being treated differently from other clubs.
  - c. The Appeal Board considered the second ground of appeal, that the Respondent came to a decision to which no reasonable such body could have come. The Appeal Board took careful consideration of the grounds for appeal including geographical location, likely mileage to be travelled in the forthcoming season and the availability of an alternative solution proposed by the Appellant. The Appeal Board reminded itself that it is unable to impose its own preferred solution in such cases and is only empowered by the FA Appeal Regulations to review the original decision of the Respondent. When looking at league allocations objectively, the Appellant is in a location where it can expect to be a club on the borders of two possible leagues and the Respondent must exercise objective discernment when placing clubs. While there were possible arguments for placing the Appellant in the Southern League South, placing the Appellant club in the Southern League Central was not perverse, irrational or wrong and therefore the Appeal Board is unable to find that that this is a decision to which no reasonable such body could have come.
9. The Appeal Board considered the matter of costs and decided that there would be no order as to costs.
10. The Appeal Board order that the appeal fee be retained.
11. This decision of the Appeal Board is final and binding.

**Paul Tompkins (Chair)**

**Glenn Moulton**

**Robert Purkiss MBE**

**8 June 2023**