

IN THE MATTER OF THE APPEAL BOARD OF THE FOOTBALL ASSOCIATION

BETWEEN

RUSHALL OLYMPIC FC

Appellant

and

NLS OPERATIONS COMMITTEE

Respondent

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DECISION AND WRITTEN REASONS OF THE APPEAL BOARD

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1. The Appeal Board conducted a hearing on Tuesday, 3 June 2025, to determine an appeal by the Appellant against a decision of the Respondent, dated 15 May 2025.
2. This hearing was conducted by Microsoft Teams (video-conferencing).
3. The Appeal Board consisted of Mr Tony Rock (Chairperson), Mr Robert Purkiss MBE, and Mr Glenn Moulton. Mr Conrad Gibbons, the Senior Judicial Services Officer, acted as Secretary to the Appeal Board.
4. The Appellant was represented by the attendance of Mr Nick Allen, with Mr John Allen and Ms Nicola Belcher observing. The Respondent was represented by Mr Mark Ives, with Mr Andy Stickley and Mr Matt Edkins observing.

## **The Hearing**

5. The Respondent, on 15 May 2025, notified the Appellant of their decision that following relegation they had been allocated to the Northern Premier League - Premier ('NPLP') for the 2025/26 season.
6. The Appeal Board, having taken into account the submissions of the parties and having given the Appeal Bundle careful consideration, noted the following.
7. The Appeal Board thank both parties for the manner in which they made their submissions.
8. The Appeal Board noted that the Appellant was appealing on the following ground:  
  
That the body whose decision was appealed against...
  - a. Came to a decision to which no reasonable such body could have come.
9. The Appeal Board unanimously dismissed the appeal this ground.
10. 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. In addition to their written appeal, the Appellant made the following verbal submission. They understood how difficult the task is for the NLS Committee to annually allocate teams to leagues. The geographical location of Midlands clubs, which includes Rushall Olympic FC (Rushall), often makes their annual placement difficult and a little blurred. To set the context of their appeal, the Appellant read out verbatim the first paragraph of their written submission.
- c. In making reference to pages 27 and 28 of the Appeal Bundle, the Appellant submitted that the NLS Committee had clearly got Rushall's placement into the Northern Premier League Premier Division (NPLP) for season 2025-26, wrong. The Appellant compared their mileage with Quorn FC and cited the appeal case involving Marlow (June 2023) which saw a decision of the FA Alliance Committee (forerunner to the NLS Committee), overturned. They stated that access to the M6 was becoming more and more of a weak argument, and for the NLS Committee to state that the circumstances involving the removal of Farsley Celtic from Steps 1-4 as not relevant to the overall allocation of teams to leagues, not right. They determined that if Farsley Celtic had remained at Step 3 of the National League System, then Barwell would not have been reprieved and Rushall would have been placed in the Southern League Premier Central Division (SLPCD).

- d. In regard to the 'twinning/grouping' of Rushall and Hednesford Town, the Appellant stated that the two clubs had never been placed in the same league. The NLS Committee decision had now isolated both clubs at the southern extremity of the NPLP. That decision was unreasonable and not one which any other body would have made. Rushall argued there was no basis for putting them back into the NPLP. If placed in the SLPCD, the league they should be in, then the geographical groupings would have included clubs which Rushall had historically played against. There was a possibility that the Committee decision will have financial catastrophic implications for Rushall.
- e. The Appellant accepted that they were taking a linear view of the situation. They thought that leagues could play with an unequal number of teams, and if necessary Rushall and Hednesford could play in different leagues. They submitted that Quorn FC were geographically further north than Rushall, and so it made practical sense for Quorn FC to play in the NPLP. They were also open to other teams such as Quorn FC and Barwell playing in different leagues. Rushall emphasised that whilst a number of options were open to the NLS Committee, it was key for Rushall to be placed in the SLPCD next season. The Appellant said that they had been in verbal contact with Hednesford who stated to them a preference to also be placed in the SLPCD next season. **Note:** the Appeal Board confirmed with the Respondent that Hednesford had not appealed the decision to be

placed in the NPLP, and that no such view had been formally or informally submitted to them by Hednesford.

f. Playing in the NPLP will, as an estimate, mean Rushall will have an increased travelling budget of over £10,000. The Appellant said the decision lacks sporting integrity and argue they are being used as a makeweight or balancing club, purely because of the decisions involving Farsley Celtic and Barwell. As a Midlands club, and having been moved to the Southern Central League when it was established some years ago, it made no sense that they were know being placed back into the NPLP.

g. In response to the Appellant's submission, the Respondent clarified the Farsley Celtic position. It was absolutely right that Barwell had been reprieved as a result of Farsley Celtic not being granted a Step 1-4 license for next season. Without a license, Farsley Celtic were relegated to Step 5 for seasons 2025-26. Any suggestion that the NLS Committee had said that the Farsley Celtic decision was not relevant, or had caused confusion, was misleading, for which the Respondent apologised. That aside, the NLS Committee knew that Farsley Celtic would play at Step 5 next season and that Barwell will, having been reprieved, play at Step 3. The task therefore for the NLS Committee was to allocate those 88 teams playing at Step 3 into four divisions of 22 teams.

- h. The Respondent made reference to the Marlow decision (June 2023) which they said did not set a precedence, their case being judged on its own merits. The FA Alliance Committee at the time had to make a 'late' decision to allow an imbalance of teams across the leagues. Any other decision would have resulted in a number of appeals which would have caused a delay to the start of the 2023-24 season. The Respondent accepted that Rushall had made a number of relevant points in their submission, but stated that such points took an isolated view of their own club. The role of the NLS Committee was to consider all teams and to make decisions which they thought were reasonable in support of the National Structure. Whilst Rushall had put forward alternative solutions, they were just that, alternative solutions. Those alternatives clearly shifted issues from Rushall to other clubs.
- i. The Respondent made reference to page 30 of the Appeal Bundle, arguing that the Chart supported their position and that the NLS Committee had come to a decision that they were entitled to make. The Respondent reiterated that the role of the Appeal Board is one of a review body and not simply one who at first instance may have made a different decision. Unfortunately, there was no way NLS Committee decisions could satisfy every club. They had sympathy for Rushall but couldn't comment on scenarios that may or may not have happened.

- j. The Appeal Board reminded itself that it is unable to impose its own solution in such cases and is only empowered by the FA Appeal Regulations to review the original decision of the Respondent. The Appeal Board concluded that whilst alternative solution(s) were available and considered by the Respondent, their decision to place Rushall Olympic FC in the Northern Premier League Premier Division for season 2025/26 was reasonable and one that they were entitled to make.

11. The Appeal Board considered the matter of costs and decided that there would be no order as to costs.

12. The Appeal Board order that the appeal fee be forfeited.

13. The Appeal Board's decision is final and binding.

**Tony Rock - Chair**

**Glenn Moulton - Wing**

**Robert Purkiss MBE - Wing**

5 June 2025