

IN THE MATTER OF THE APPEAL BOARD OF THE FOOTBALL ASSOCIATION

BETWEEN

WOLVERHAMPTON CASUALS FC

Appellant

and

NLS OPERATIONS COMMITTEE

Respondent

DECISION AND WRITTEN REASONS OF THE APPEAL BOARD

1. The Appeal Board conducted a hearing on Monday, 9 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 Paul Tompkins (Chairperson), Mr Keith Allen, and Mr Leon Bird. 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 Paul Tudor, with Mr Darren Langford and Mr Ben Powney observing. The Respondent was represented by Mr Mark Ives, with Mr Andy Stickley, Mr Matt Edkins and Mr Mark Frost observing.

The Hearing

5. The Respondent, on 15 May 2025, notified the Appellant that following relegation to Step 6 they had been allocated to the North West Counties League First Division South (NWCLS) 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 grounds:

That the body whose decision was appealed against...

 - a. Came to a decision to which no reasonable such body could have come.
 - b. Misinterpreted or failed to comply with the Rules and/or Regulations of the Association relevant to its decision.
9. The Appeal Board unanimously dismissed the appeal on the grounds raised.
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. On considering the ground of appeal, that the Respondent had come to a decision to which no reasonable such body could have come, the Appeal Board took careful consideration of the grounds for appeal.

These included the Appellant's anticipated allocation to the Midland Football League Division 1 (MFL1) at Step 6, historic and cultural links to the West Midlands and not the North West, catchment area for players and coaches, geographical location, likely mileage to be travelled in the forthcoming season and the availability of an alternative solution proposed by the Appellant. The Appellant submitted that on being relegated from MFL Premier Division last season it had expected to be placed in the MFL1, not the NWCL1. MFL1 was also the Appellant's preferred league.

- c. On the ground that the Respondent had misinterpreted or failed to comply with the Rules and/or Regulations of the Association relevant to its decision it was submitted that the allocation to NWCL1 breached the NLS stated objectives on restructure of Steps 3-6 as issued in 2021. This set out the objective of providing "Clubs with a level of competitive football appropriate to their playing ability, stadium/ ground facilities and geographical location". In the case of the Appellant the submission was that NWCL1 was not appropriate to their geographical location.
- d. 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 finds itself in a location where it is a club close to the border 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 MFL1, placing the Appellant club in the NWCL1 was not perverse, irrational or wrong. Indeed, there were reasons why this allocation was appropriate, particularly when viewing the NLS nationwide. The Appeal Board found no breach of the NLS objectives in placing the Appellant in NWCL1; geographically the allocation was not so unreasonable that it was not an option open to the Respondent. Including the current allocation there will be 19 teams in NWCL1 next season and 22 in MFL1. To relocate the Appellant in MFL1 would have

created and 18-23 imbalance which was undesirable and had thus been avoided.

- e. The allocation of the Appellant to NWCL1 for the forthcoming season was not evidently unreasonable and was a solution to allocations within the NLS as a whole which had been reached after proper consideration by the Respondent. That there was an alternative which the Appellant preferred was not the test. Therefore, the Appeal Board is unable to find that that the allocation of the Appellant to NWCL1 for season 2025-26 is a decision to which no reasonable such body could have come.

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.

Paul Tompkins - Chair

Keith Allen - Wing

Leon Bird - Wing

12 June 2025