

IN THE MATTER OF THE APPEAL BOARD OF THE FOOTBALL  
ASSOCIATION

BETWEEN

ASHBY IVANHOE FC

Appellant

and

THE FA LEAGUES 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, 7 June 2022, to determine an appeal by the Appellant against a decision of the Respondent, dated 12 May 2022.
2. This hearing was conducted by Microsoft Teams (video-conferencing).
3. The Appeal Board consisted of Mr Paul Tompkins (Chairperson), Mr Robert Purkiss MBE, and Mr Glenn Moulton.
4. Mr Conrad Gibbons, the Judicial Services Officer, acted as Secretary to the Appeal Board. Mr Paddy McCormack, Judicial Services Manager, attended as an observer to proceedings.
5. The Appellant was represented by the attendance of Mr David Morris and Mr Stuart Mann.
6. The Respondent was represented by Mr Mark Ives with Mr Mark Frost and Mr James Earl attending as observers.

**The Hearing**

7. The Respondent, on 12 May 2022, made a decision to refuse an application of the Appellant seeking a lateral movement from the Midland Football League to the United Counties Football League with the result that the Appellant would continue to participate in the Midland Football League Division One for the 2022/23 season.

8. The Appeal Board, having taken into account the submissions of the parties and having given the Appeal Bundle careful consideration, noted the following.
9. The Appeal Board thanks both parties for the manner in which they made their submissions.
10. The Appeal Board noted that the Appellant was appealing on the following grounds:
  - a. Failed to give the Appellant a fair hearing.
  - b. Came to a decision to which no reasonable such body could have come.
11. The Appeal Board dismissed the appeal on both grounds.
12. 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. The Appeal Board considered the submissions of the Appellant, specifically the issues established concerning the effects of travelling and the difficult roads for fixtures, the impact this would have in travelling time and potential financial impacts. Furthermore, the Appeal Board accepted the Appellant's submissions that the Respondent's decision means that the Appellant do not have as many local 'derbies', which may benefit the Club.
  - c. The Respondent, however, was found by the Appeal Board to have made a reasonable decision. The Appeal Board noted that to allow the appeal, on the basis of the solution sought by the Appellant, might cause an adverse and unreasonable impact on other Clubs in both Leagues that were raised during proceedings.
  - d. The Appeal Board were unanimous in finding that the Appellant were not a Club that could be considered as on the 'borderline' of the divisions, albeit it is accepted that travel time is affected, and noted that the Appellant had successfully competed in the Midland Football League over the course of the past two seasons.
13. The Appeal Board considered the matter of costs and decided that there would be no order as to costs.

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

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

**Paul Tompkins**

**Glenn Moulton**

**Robert Purkiss MBE**

10 June 2022