

IN THE MATTER OF THE APPEAL BOARD OF THE FOOTBALL
ASSOCIATION

BETWEEN

SHAFTESBURY LADIES FC

Appellant

and

THE FA WOMEN'S FOOTBALL PYRAMID PROJECT TEAM

Respondent

DECISION AND WRITTEN REASONS OF THE APPEAL BOARD

1. The Appeal Board conducted a hearing on Monday, 24 June 2024, to determine an appeal by the Appellant against a decision of the Respondent, dated 3 June 2024.
2. This hearing was conducted as a Correspondence Hearing.
3. The Appeal Board consisted of Mr Paul Tompkins (Chairperson), Mr Robert Purkiss MBE, and Mr Glenn Moulton. Mr Nathan Greenslade, the Judicial Services Administrator, acted as Secretary to the Appeal Board.

The Hearing

4. The Respondent, on 3 June 2024, notified the Appellant of their decision that the Appellant was to be moved to the South West Regional Women's Football League Division 1 South for the 2024/25 season.
5. The Appeal Board, having taken into account the submissions of the parties' careful consideration, noted the following.
6. The Appeal Board thanks both parties for the manner in which they made their submissions.

7. The Appeal Board noted that the Appellant was appealing on the following ground:
 - a. Came to a decision to which no reasonable such body could have come.
8. The Appeal Board unanimously dismissed the appeal on these grounds.
9. 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 single 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 Appellant's geographical location, likely mileage to be travelled in the forthcoming season, the time it was likely to take for such journeys and the availability of an alternative solution proposed by the Appellant. The Appellant had previously played in the South West Regional Women's Football League Eastern Division up to season 2023-24 but the League had reorganised for next season meaning the Appellant would no longer have any matches in the Bristol area but would have to make several very lengthy journeys, especially down to Cornwall. This was likely to have a severe detrimental impact upon player retention and recruitment as players would not have the time to travel and there was a chance that they would seek their football elsewhere or would look to play at County level. One solution proposed by the Appellant was to choose two divisions at Tiers 6 randomly, thus sharing the burden amongst all the clubs in the league rather than some clubs having to bear a much greater burden than others.
 - c. By way of response, the Respondent explained that it had considered this specific move at its allocations committee meeting. The Appellant's

arguments were understood but did not in themselves demonstrate that the decision to allocate the Appellant to South West Regional Women's Football League Division 1 South for the forthcoming season was either wrong or, at least, so unreasonable that no reasonable such body could have come to it. The perspective of the Respondent was nationwide when populating the various leagues and moving clubs has an implication on many other clubs and can have a knock on effect for other leagues and divisions.

- 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. This ground for appeal only allows the Appeal Board to intervene when it considers the Respondent has come to a decision to which no reasonable such body could have come.
- e. When looking at league allocations objectively, and the South West Regional Women's Football League in particular, the Appellant finds itself in a location where it is a club close to the border of the two divisions (north and south) which the South West Regional Women's Football League had asked to be constituted. It was noted, however, that there were clubs closer to the north division who had also been allocated to the south. The Respondent must exercise objective discernment when placing clubs. Placing the Appellant club in the South West Regional Women's Football League Division 1 South was not perverse, irrational or wrong. To do otherwise could have overridden the principle of objectivity and fairness when applying the Regulations and would have risked preferring the Appellant's case over other clubs in a similar position. The Respondent had to consider the integrity of the FA Women's Football Pyramid. Therefore, the Appeal Board is unable to find that the allocation of the Appellant to South West Regional Women's Football League Division 1 South for season 2024-25 is a decision to which no reasonable such body could have come.
- f. It was also noted that the South West Regional Women's Football League had requested reorganisation for season 2024-25 through a process open to it in the Regulations. The Appeal Board took time to

consider whether the FA Women's Pyramid Regulations had been properly applied. The league had requested reorganisation and the Respondent had reacted accordingly thus applying the relevant criteria appropriately and the Appeal Board was unable to find that the Respondent had erred.

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

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

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

Paul Tompkins
Glenn Moulton
Robert Purkiss MBE

24 June 2024