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## AGENDA

**Pwyllgor** IS-BWYLLGOR SAFONAU A MOESEG (PANEL GWRANDAWIADAU)

**Dyddiad ac amser y cyfarfod** DYDD MERCHER, 12 IONAWR 2022, 9.30 AM

**Lleoliad** CYFARFOD O BELL TRWY MS TEAMS

**Aelodaeth** Aelodau Annibynnol: Hollie Edwards-Davies (Cadeirydd)  
Arthur Hallett a/ac Chrissie Nicholls

**1 Ymddiheuriadau am Absenoldeb**

**2 Datgan Buddiannau**

**3 Cofnodion** (*Tudalennau 3 - 4*)

Cadrnhau bod cofnodion y cyfarfod blaenorol ar 15 Rhagfyr 2021

**4 Gwrandawriad o dan y Protocol Datrys Leol - CDC 21/003** (*Tudalennau 5 - 74*)

- Mae'r atodiadau i'r adroddiad hwn wedi'u golygu i ddileu gwybodaeth bersonol sydd wedi'i heithrio rhag cael ei chyhoeddi o dan baragraffau 12 a 13 o Atodlen 12A i Ddeddf Llywodraeth Leol 1972;
- Bydd y cyhoedd yn cael eu heithrio pan fydd y Panel Gwrandawriadau yn ystyried ei benderfyniadau, yn unol â Pharagraff 18C o Atodlen 12A, Rhan 4 o Ddeddf Llywodraeth Leol 1972

**James Williams**

**Dirprwy Swyddog Monitro**

Dyddiad: Dydd Iau, 6 Ionawr 2022

Cyswllt: Mandy Farnham, 02920 872618, Mandy.Farnham@caerdydd.gov.uk

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STANDARD AND ETHICS SUB COMMITTEE - HEARINGS PANEL

15 DECEMBER 2021

Present: Independent Members: Hollie Edwards-Davies (Chairperson)  
Arthur Hallett and Chrissie Nicholls

1 : APOLOGIES FOR ABSENCE

No apologies for absence were received

2 : DECLARATIONS OF INTEREST

No declarations of interest were received

3 : HEARING UNDER THE LOCAL RESOLUTION PROTOCOL CDC 21/003 -  
PRELIMINARY MATTERS

The Panel resolved to exclude the public on the basis that the discussion of this matter would include information which is exempt from publication under paragraphs 12 and 13 of Schedule 12A to the Local Government Act 1972.

Deputy Monitoring Officer presented his report to the Panel.

The Panel discussed the preliminary matters requiring determination in advance of the hearing, and the representations submitted by each party in respect of those matters.

In relation to the exchange which took place during the Council meeting in March 2018 (Complaint Three), it was noted that the complaint was of a similar nature and that the Council's webcast recording of the meeting had been made available. The Panel agreed that the Complainant should be allowed to submit evidence in relation to this incident.

In relation to the request for Cllr Boyle and Cllr Sandrey to give evidence on behalf of the Complainant, it was noted that the exchange which those Cllrs had witnessed after the Council meeting was not specifically part of the complaints. As the complaint concerned the exchange which took place during the Council meeting and the Complainant's evidence included the webcast recording of the Council meeting, the Panel did not consider that witness testimony from Cllr Boyle or Cllr Sandrey would provide any additional relevant evidence. On this basis, the Panel determined that it was not necessary to call Cllr Boyle or Cllr Sandrey to give evidence.

The Panel also expressed concern regarding the incidental reference made about unacceptable behaviour towards female members of the Lib Dem group and wished to encourage anyone with such concerns to formally report their concerns so that they may be properly investigated.

RESOLVED:

- (1) That the Complainant shall be permitted to submit evidence in relation to the Respondent's behaviour at the Council meeting in March 2018 (referred to as Complaint Three) for the panel to consider.
- (2) That it was not necessary to call Councillors Boyle and Sandrey to give evidence at the hearing.

DRAFT

**CYNGOR CAERDYDD  
CARDIFF COUCIL****STANDARDS & ETHICS COMMITTEE  
SUB-COMMITTEE:****12<sup>th</sup> January 2022**

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**REPORT OF THE DEPUTY MONITORING OFFICER**

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**HEARING UNDER THE LOCAL RESOLUTION PROTOCOL**

The appendices to this report have been redacted to remove personal information which is exempt from publication under paragraphs 12 and 13 of Schedule 12A to the Local Government Act 1972

**Reason for this Report**

1. To enable the Hearings Panel (Standards and Ethics Sub-Committee) to determine a complaint referred to it under the Local Resolution Protocol.

**Background**

2. At its meeting on 15<sup>th</sup> December 2021, the Standards and Ethics Sub-Committee (Hearings Panel) received a report on a complaint referred to the Hearings Panel under the Local Resolution Protocol (**Appendix 1**), and made the following preliminary determinations:
  - (i) That the Complainant shall be permitted to submit evidence in relation to the Respondent's behaviour at the Council meeting in March 2018 (referred to as Complaint Three); and
  - (ii) That it was not necessary to call Cllr Boyle or Cllr Sandrey as witnesses to give evidence at the hearing.
3. Both parties have been duly notified of the preliminary determinations made by the Hearings Panel.

**Issues**

4. Full details of the complaints referred to the Hearings Panel, the response to the complaints, all evidence submitted and arrangements for the hearing are set out in the report of the Deputy Monitoring Officer attached as **Appendix 1**.

5. Under the Local Resolution Protocol adopted by the Council (**Appendix B**), the Hearings Panel is required to hold a hearing to determine the complaints, in accordance with the Local Resolution Hearings Procedure (**Appendix C**).

### **Legal Implications**

6. Relevant legal implications are set out in the report of the Deputy Monitoring Officer attached as **Appendix 1**.

### **Financial Implications**

7. There are no direct financial implications arising from this report.

## **RECOMMENDATION**

The Committee is recommended to:

- (1) Hold a hearing in accordance with the Local Resolution Hearings Procedure to determine the complaint, and any recommendation or sanction to be issued, if appropriate;
- (2) Announce the Panel's decision; and
- (3) Authorise the Deputy Monitoring Officer, in consultation with the Chair, to finalise the Hearings Panel's written decision and publish it in accordance with the Hearings Procedure.

James Williams  
Operational Manager, Litigation & Deputy Monitoring Officer  
5<sup>th</sup> January 2022

## **APPENDICES**

- |      |   |  |
|------|---|--|
| 1    | - | Deputy Monitoring Officer's report, 'Hearing Under the Local Resolution Protocol – Preliminary Matters', 15 <sup>th</sup> December 2021            |
| A    | - | Members Code of Conduct  |
| B    | - | Local Resolution Protocol  |
| C    | - | Local Resolution Hearings Procedure  |
| D    | - | Monitoring Officer's report on informal resolution attempts  |
| E    | - | Email correspondence between Cllr Molik and Cllr Michael regarding Green Waste Collections ( <i>redacted to remove third party personal data</i> ) |
| F    | - | Clip from the webcast recording of the March 2018 Council meeting  |
| G    | - | Cllr Michael's Response to the Complaints  |
| G1   | - | Cllr Michael's Supplementary Response to the Complaints  |
| H1-3 | - | Emails between Assistant Director, Waste Services and Cllr Molik ( <i>redacted to remove third party personal data</i> )                           |

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## **REPORT OF THE DEPUTY MONITORING OFFICER**

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### **HEARING UNDER THE LOCAL RESOLUTION PROTOCOL - PRELIMINARY MATTERS**

**This report and its appendices are Exempt from publication under paragraphs 12 and 13 of Schedule 12A to the Local Government Act 1972**

#### **Reason for this Report**

1. To enable the Hearings Panel (Sub-Committee) to consider a complaint referred to the Hearings Panel for determination under the Local Resolution Protocol, and to make preliminary determinations required in respect of the hearing of this matter.

#### **Background**

2. All elected Members have a statutory duty to comply with the Members' Code of Conduct (**Appendix A**).
3. The Council has adopted a Local Resolution Protocol for the resolution of low-level 'Member on Member' complaints (updated in November 2017), attached as **Appendix B**.
4. Under the Protocol, if a complaint is not resolved informally, the complainant may request the Monitoring Officer to refer their complaint to a Hearings Panel (sub-committee of the Standards and Ethics Committee) for determination.
5. The Standards and Ethics Committee has adopted a Local Resolution Hearings Procedure for hearings under the Local Resolution Protocol (updated in March 2016), attached as **Appendix C**.
6. The Monitoring Officer (MO) has referred a complaint to the Hearings Panel under the Local Resolution Protocol. The Monitoring Officer's report, attached as **Appendix D**, provides details of the complaint submitted and the Monitoring Officer's attempts to resolve it informally.

7. As the Monitoring Officer has been involved in attempts to informally resolve the complaint, she has asked the Deputy Monitoring Officer to advise the Hearings Panel in relation to the hearing.

## **Issues**

8. Following the referral to the Hearings Panel of the complaint set out in the Monitoring Officer's report, on 23<sup>rd</sup> June 2021, Cllr Molik was asked to confirm the details of her complaint (in accordance with the Local Resolution Procedure paragraph 3.1). Cllr Molik was asked to provide full details of any other incidents to which she had referred in her emails, including any evidence relied upon, if she wished to add these incidents to her complaint.
9. In correspondence during July and August 2021, Cllr Molik provided further information about two other incidents which she wished to add to her complaint, relating to responses given by Cllr Michael to questions she had asked during the full Council meetings in January 2021 and March 2018. On both occasions, Cllr Molik said that Cllr Michael's responses had been rude and abrupt.
10. The complaints which Cllr Molik has asked to be referred to the Hearings Panel for determination, as confirmed by Cllr Molik on 21<sup>st</sup> September 2021, are set out below.

### 11. Cllr Molik's Complaints

#### Complaint One

- 11.1 In email correspondence between Cllr Molik and Cllr Michael regarding green waste collections dated from 9<sup>th</sup> April 2021 to 12<sup>th</sup> April 2021, Cllr Molik says that Cllr Michael attacked her and became personal in his responses to the questions she asked him in order for her to respond to a resident.
- 11.2 Alleged breach of Code - Cllr Molik says that this conduct shows a lack of respect towards her and constitutes unacceptable bullying behaviour, in breach of paragraphs 4(b) and 4(c) of the Members Code of Conduct.

#### Complaint Two

- 11.3 At the full Council meeting in January 2021, in response to Cllr Molik's Question to Cllr Michael about waste collection (under Cabinet members' statements), Cllr Molik says that Cllr Michael rudely implied that she was unaware of a pandemic going on.
- 11.4 Alleged breach of Code - The Panel will be asked to consider whether this behaviour constitutes a breach of the Members' Code of Conduct duty to show respect and consideration for others (paragraph 4(b) of the Code).

#### Complaint Three

- 11.5 Cllr Molik wishes to include a previous example of similar behaviour, when Cllr



Michael responded to Cllr Molik's question raising residents' concerns about seagulls at the full Council meeting in March 2018. Cllr Molik says that Cllr Michael's response was very abrupt and rude; and she says his response to a Labour councillor on the same issue (Cllr Owen Jones' supplementary question about seagulls) was far more appropriate.

- 11.6 Cllr Molik also wishes to make the Panel aware that her group leader at the time, Cllr Boyle, attempted to resolve this matter informally after the Council meeting. She says that her group leader told Cllr Michael that his behaviour was not appropriate toward female members of the Lib Dem group, to which Cllr Michael responded very abruptly and Cllr Sandrey was a witness to this.
- 11.7 Cllr Molik has been advised that the Local Resolution Procedure says that complaints should be made 'within three months of the substance of the complaint coming to the attention of the Member submitting the complaint' (Procedure paragraph 2.1). Cllr Molik has confirmed that she wishes to include the March 2018 incident in her complaint, on the basis that she thinks it shows a pattern of similar behaviour; and she has reported this within three months of becoming aware of this pattern of behaviour. Cllr Molik has been informed that the Hearings Panel will be asked to make a preliminary determination on whether or not it is appropriate to consider the March 2018 incident as part of the complaint – please see paragraphs 20 - 23 below
- 11.8 Alleged breach of Code – If the Panel determines to include Complaint Three, it will be asked to consider whether this behaviour constitutes a breach of the Members' Code of Conduct duty to show respect and consideration (paragraph 4(b) of the Code). The Panel may also wish to consider the Members' duty to 'carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;' (paragraph 4(a) of the Members' Code of Conduct).

## 12. Evidence in support of the Complaints

Cllr Molik wishes to refer to the following evidence in support of her complaints:

### In relation to Complaint One

- 12.1 Cllr Molik has supplied copies of the email correspondence between herself and Cllr Michael regarding green waste collections, dated from 9<sup>th</sup> April 2021 to 12<sup>th</sup> April 2021, as evidence to support this complaint (**Appendix E**).

### In relation to Complaint Two

- 12.2 Cllr Molik wishes to refer the Panel to the webcast recording of the January 2021 Council meeting as evidence in relation to this complaint: [Agenda for Council on Thursday, 28th January, 2021, 4.30 pm : City of Cardiff Council \(moderngov.co.uk\)](https://www.moderngov.co.uk) Cllr Molik's question is at around 53 minutes; and Cllr Michael's response is at around 1 hour into the recording.

### In relation to Complaint Three

- 12.3 Cllr Molik wishes to refer the Panel to:

- (i) the minutes of the March 2018 Council meeting [Minutes Template \(moderngov.co.uk\)](#) – pages 319-320; and
- (ii) the webcast recording of the Council meeting, from approximately 3:31 to 3:36 of the recording (**Appendix F**).

13. Witnesses requested by Cllr Molik

Cllr Molik has requested that, in relation to Complaint Three (if the Hearings Panel determines to include it), Cllr Boyle and Cllr Sandrey are called as witnesses to give evidence about her group leader's attempts to informally resolve this complaint.

14. Cllr Michael's Response

14.1 On 6<sup>th</sup> October 2021, an email was sent to Cllr Michael, providing full details of the three complaints submitted by Cllr Molik (with links to and copies of all evidence submitted and a list of the complainant's requested witnesses) and asking for his response, to include the information required under the Local Resolution Procedure paragraph 3.2 (documentary evidence, witnesses etc). Cllr Michael was asked to provide his response, with the requested information by 21<sup>st</sup> October 2021.

14.2 Cllr Michael sent an email on 21<sup>st</sup> October 2021, saying that, following his discussion of the complaint with the Deputy Monitoring Officer, he required a few more days to submit his response.

14.3 On 25<sup>th</sup> October 2021, Cllr Michael emailed his response to the complaints – **Appendix G** to this report.

14.4 On 9<sup>th</sup> November 2021, Cllr Michael emailed a supplementary response to the complaints – **Appendix G1** to this report.

15. Evidence submitted by Cllr Michael in support of his Response

On 9<sup>th</sup> November 2021, Cllr Michael forwarded three chains of email correspondence between Cllr Molik and the Assistant Director for Waste Services, copied to Cllr Michael, dated from 05/03/2021 to 23/03/2021 (**Appendix H1-3**), which Cllr Michael says demonstrates that 'Coun Molik from the beginning wanted to spin the 4 day week collections as a failure.'

16. Witnesses requested by Cllr Michael

Cllr Michael has confirmed that he does not wish to call any witnesses.

Arrangements for the Hearing

17. Following consultation with both parties, the hearing has been scheduled to be held on 12<sup>th</sup> January 2022. In accordance with the meeting arrangements currently in place for the local authority (under the Local Government and Elections (Wales) Act 2021), the hearing is to be held remotely.

18. Standards Hearings are held in public, unless the Panel is satisfied it is appropriate to exclude the public for the discussion of exempt information (under the Local Government Act 1972, Schedule 12A). Personal information may be exempted under paragraphs 12 and 13 of the LGA 1972, Schedule 12A if the Panel is satisfied that the public interest in maintaining exemption outweighs any public interest in disclosure of the information. Both Councillors have been asked to indicate whether they wish to apply to the Panel for the public and press to be excluded from the hearing. Neither party has indicated that they wish to apply for the public to be excluded. Therefore, the hearing may proceed in public, but all parties will be advised of the need to take care not to unlawfully disclose any personal information about third parties when giving evidence or submitting representations to the Panel. In line with the Council's current arrangements for public access to meetings held remotely, the hearing will be recorded (except for any discussion of exempt information, and during the Panel's deliberation of its decisions) for subsequent broadcast on the Council's website.
19. Both Councillors have indicated that they do not intend to be represented or accompanied at the hearing; and do not have any other requirements in relation to the hearing.

#### Preliminary Issues for Determination by the Panel

##### Preliminary Issue One

20. As noted in paragraphs 10.5-10.7 above, Complaint Three relates to exchanges at the full Council meeting in March 2018; and Cllr Molik has been advised that the Local Resolution Procedure (paragraph 2.1) says that complaints should be made 'within three months of the substance of the complaint coming to the attention of the Member submitting the complaint'.
21. Cllr Molik has confirmed that she wishes to include the March 2018 incident in her complaint, on the basis that she thinks it shows a pattern of similar behaviour; and she has reported this within three months of becoming aware of this pattern of behaviour.
22. Cllr Michael has been given the opportunity to make representations on the inclusion of Complaint Three. Cllr Michael's has submitted his representations (by email dated 09/11/2021) saying that he strongly objects to the inclusion of Complaint Three, because 'it is years out of date and a case of Coun Molik attempting to engineer a complaint where one does not exist.' Within Cllr Michael's supplementary response (**Appendix G1**), he confirms his objection as follows: 'I object to Coun Molik try to bring up something that happened in 2018. Its simply not appropriate to try to construct a different narrative in a way that Coun Molik wishes. The regulations state that if Coun Molik believed there was a complaint she had three months to complain,she did not. It is not acceptable for Coun Molik to engineer evidence where it does not exist and it shows a complete lack of respect.'
23. The Hearings Panel will need to make a preliminary determination on whether or not it is appropriate for the Panel to allow evidence in relation to Complaint Three to be considered during the hearing; and whether or not it is appropriate

for the Panel to make a separate finding in relation to whether this conduct amounts to a breach of the Code.

### Preliminary Issue Two

24. The Panel will note that the only witnesses requested are Cllr Boyle and Cllr Sandrey, who Cllr Molik wishes to call in relation to Complaint Three. Having regard to the Panel's determination in relation to the inclusion of Complaint Three (reference paragraphs 20 - 23 above), the Panel is invited to consider whether hearing from these witnesses will assist the Panel in its deliberations; and to make a preliminary determination on this matter accordingly.

### **Legal Implications**

25. Under the Local Government Act 2000, the Members' Code of Conduct sets out the duties with which elected Members must comply. The Public Services Ombudsman for Wales may investigate complaints that a Member has breached the Code of Conduct. The Ombudsman encourages Councils to adopt local resolution processes to resolve relatively low level Member on Member complaints.
26. The Local Resolution Protocol (**Appendix B**) sets out Cardiff's arrangements for local resolution of Member complaints.
27. The procedure to followed by the Hearings Panel in this matter is set out the Local Resolution Hearings Procedure, appended as **Appendix C**.

### **Financial Implications**

28. There are no direct financial implications arising from this report.

### **RECOMMENDATION**

The Committee is recommended to:

- (1) Note the contents of this report and the appendices;
- (2) Make determinations in respect of the following preliminary matters:
  - (a) Whether to allow evidence in relation to Complaint Three to be considered during the hearing; and whether it is appropriate for the Panel to make a separate finding in relation to whether this conduct amounts to a breach of the Code of Conduct; and
  - (b) Whether to call Cllr Boyle and or Cllr Sandrey to give evidence in relation to Complaint Three; and

- (3) Instruct the Deputy Monitoring Officer to notify the parties of the Panel's determinations under recommendation (2) above and proceed to make the necessary arrangements for the hearing.

James Williams  
Operational Manager, Litigation & Deputy Monitoring Officer  
9<sup>th</sup> December 2021

## **APPENDICES**

- A - Members Code of Conduct
- B - Local Resolution Protocol
- C - Local Resolution Hearings Procedure
- D - Monitoring Officer's report on informal resolution attempts
  
- E - Email correspondence between Cllr Molik and Cllr Michael regarding Green Waste Collections (*redacted to remove third party personal data*)
- F - Clip from the webcast recording of the March 2018 Council meeting
  
- G - Cllr Michael's Response to the Complaints
- G1 - Cllr Michael's Supplementary Response to the Complaints
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## PART 5 – CODES AND PROTOCOLS

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### CODE OF CONDUCT FOR MEMBERS AND CO-OPTED MEMBERS OF THE COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF

#### Adoption

This Code was adopted by the Authority on 15 May 2008 and last amended on 21 October 2021.

### PART I

#### Interpretation

1.1 In this code—

"co-opted member" ("*aelod cyfetholedig*"), in relation to a relevant authority, means a person who is not a member of the authority but who—

- (a) is a member of any committee or sub-committee of the authority, or
- (b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority,

and who is entitled to vote on any question which falls to be decided at any meeting of that committee or sub-committee;

"meeting" ("*cyfarfod*") means any meeting—

- (a) of the relevant authority,
- (b) of any executive or board of the relevant authority,
- (c) of any committee, sub-committee, joint committee or joint sub-committee of the relevant authority or of any such committee, sub-committee, joint committee or joint sub-committee of any executive or board of the authority, or
- (d) where members or officers of the relevant authority are present other than a meeting of a political group constituted in accordance with regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990,

and includes circumstances in which a member of an executive or board or an officer acting alone exercises a function of an authority;

"member" ("*aelod*") includes, unless the context requires otherwise, a co-opted member;

“register of members’ interests” (“cofrestr o fuddiannau’r aelodau”) means the register established and maintained under Section 81 of the Local Government Act;

“registered society” means a society, other than a society registered as a credit union, which is—

- (a) a registered society within the meaning given by section 1(1) of the Co-operative and Community Benefit Societies Act 2014; or
- (b) a society registered or deemed to be registered under the Industrial and Provident Societies Act (Northern Ireland) 1969;

“relevant authority” (“*awdurdod perthnasol*”) means—

- (a) a county council,
- (b) a county borough council,
- (c) a community council,
- (d) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies,
- (e) a National Park authority established under section 63 of the Environment Act 1995;

“you” (“*chi*”) means you as a member or co-opted member of a relevant authority; and

“your authority” (“*eich awdurdod*”) means the relevant authority of which you are a member or co-opted member.

## 1.2 In relation to a community council—

- (a) “proper officer” (“*swyddog priodol*”) means an officer of that council within the meaning of section 270(3) of the Local Government Act 1972; and
- (b) “standards committee” (“*pwyllgor safonau*”) means the standards committee of the county or county borough council which has functions in relation to the community council for which it is responsible under section 56(1) and (2) of the Local Government Act 2000.



## PART II

### General Provisions

- 2.1 Save where paragraph 3(a) applies, you must observe this code of conduct—
- (a) whenever you conduct the business, or are present at a meeting, of your authority;
  - (b) whenever you act, claim to act or give the impression you are acting in the role of member to which you were elected or appointed;
  - (c) whenever you act, claim to act or give the impression you are acting as a representative of your authority; or
  - (d) at all times and in any capacity, in respect of conduct identified in paragraphs 6.1(a) and 7.
- 2.2 You should read this code together with the general principles prescribed under section 49(2) of the Local Government Act 2000 in relation to Wales.
- 3 Where you are elected, appointed or nominated by your authority to serve—
- (a) on another relevant authority, or any other body, which includes a Local Health Board you must, when acting for that other authority or body, comply with the code of conduct of that other authority or body; or
  - (b) on any other body which does not have a code relating to the conduct of its members, you must, when acting for that other body, comply with this code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.
- 4 You must—
- (a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;
  - (b) show respect and consideration for others;
  - (c) not use bullying behaviour or harass any person; and
  - (c) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, your authority.
- 4.1 When using social media, you must comply with the Members' Code of Principles on Social Media Use, adopted by Cardiff Council (Annex 1 to this Code).

- 5 You must not—
- (a) disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so;
  - (b) prevent any person from gaining access to information to which that person is entitled by law.
- 6.1 You must—
- (a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute;
  - (b) report, whether through your authority's confidential reporting procedure or direct to the proper authority, any conduct by another member or anyone who works for, or on behalf of, your authority which you reasonably believe involves or is likely to involve criminal behaviour (which for the purposes of this paragraph does not include offences or behaviour capable of punishment by way of a fixed penalty);
  - (c) report to your authority's monitoring officer any conduct by another member which you reasonably believe breaches this code of conduct;
  - (d) not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, your authority.
- 6.2 You must comply with any request of your authority's monitoring officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.
- 7 You must not—
- (a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage;
  - (b) use, or authorise others to use, the resources of your authority—
    - (i) imprudently;
    - (ii) in breach of your authority's requirements;
    - (iii) unlawfully;
    - (iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the authority or of the office to which you have been elected or appointed;

- (v) improperly for political purposes; or
- (vi) improperly for private purposes.

8 You must—

- (a) when participating in meetings or reaching decisions regarding the business of your authority, do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by your authority's officers, in particular by—
  - (i) the authority's Head of Paid Service;
  - (ii) the authority's Chief Finance Officer;
  - (iii) the authority's Monitoring Officer;
  - (iv) the authority's Chief Legal Officer (who should be consulted when there is any doubt as to the authority's power to act, as to whether the action proposed lies within the policy framework agreed by the authority or where the legal consequences of action or failure to act by the authority might have important repercussions);
- (b) give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

9 You must—

- (a) observe the law and your authority's rules governing the claiming of expenses and allowances in connection with your duties as a member;
- (b) avoid accepting from anyone gifts, hospitality (other than official hospitality, such as a civic reception or a working lunch duly authorised by your authority), material benefits or services for yourself or any person which might place you, or reasonably appear to place you, under an improper obligation.

## PART III

### INTERESTS

#### Personal Interests

- 10.1 You must in all matters consider whether you have a personal interest, and whether this code of conduct requires you to disclose that interest.
- 10.2 You must regard yourself as having a personal interest in any business of your authority if—
- (a) it relates to, or is likely to affect –
    - (i) any employment or business carried on by you;
    - (ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;
    - (iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;
    - (iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
    - (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
    - (vi) any land in which you have a beneficial interest and which is in the area of your authority;
    - (vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
    - (viii) any body to which you have been elected, appointed or nominated by your authority;
    - (ix) Any –
      - (aa) public authority or body exercising functions of a public nature;

- (bb) company, registered society, charity, or body directed to charitable purposes;
- (cc) body whose principal purposes include the influence of public opinion or policy;
- (dd) trade union or professional association; or
- (ee) private club, society or association operating within your authority's area,

in which you have membership or hold a position of general control or management;

- (x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

(b) *[Deleted]*

(c) a decision upon it might reasonably be regarded as affecting –

- (i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;
- (ii) any employment or business carried on by persons as described in 10.2(c)(i);
- (iii) any person who employs or has appointed such persons described in 10.2(c)(i), any firm in which they are a partner, or any company of which they are directors;
- (iv) any corporate body in which persons as described in 10.2(c)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
- (v) any body listed in paragraphs 10.2(a)(ix)(aa) to (ee) in which persons described in 10.2(c)(i) hold a position of general control or management,

to a greater extent than the majority of –

- (aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or
- (bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

## Disclosure of Personal Interests

- 11.1 Where you have a personal interest in any business of your authority and you attend a meeting at which that business is considered, you must disclose orally to that meeting the existence and nature of that interest before or at the commencement of that consideration, or when the interest becomes apparent.
- 11.2 Where you have a personal interest in any business of your authority and you make -
- (a) written representations (whether by letter, facsimile or some other form of electronic communication) to a member or officer of your authority regarding that business, you should include details of that interest in the written communication; or
  - (b) oral representations (whether in person or some form of electronic communication) to a member or officer of your authority you should disclose the interest at the commencement of such representations, or when it becomes apparent to you that you have such an interest, and confirm the representation and interest in writing within 14 days of the representation.
- 11.3 Subject to paragraph 14.1(b) below, where you have a personal interest in any business of your authority and you have made a decision in exercising a function of an executive or board, you must in relation to that business ensure that any written statement of that decision records the existence and nature of your interest.
- 11.4 You must, in respect of a personal interest not previously disclosed, before or immediately after the close of a meeting where the disclosure is made pursuant to sub-paragraph 11.1, give written notification to your authority in accordance with any requirements identified by your authority's monitoring officer, or in relation to a community council, your authority's proper officer from time to time but, as a minimum containing—
- (a) details of the personal interest;
  - (b) details of the business to which the personal interest relates; and
  - (c) your signature.
- 11.5 Where you have agreement from your monitoring officer that the information relating to your personal interest is sensitive information, pursuant to paragraph 16.1, your obligations under this paragraph 11 to disclose such information, whether orally or in writing, are to be replaced with an obligation to disclose the existence of a personal interest and to confirm that your monitoring officer has agreed that the nature of such personal interest is sensitive information.

- 11.6 For the purposes of sub-paragraph 11.4, a personal interest will only be deemed to have been previously disclosed if written notification has been provided in accordance with this code since the last date on which you were elected, appointed or nominated as a member of your authority.
- 11.8 For the purposes of sub-paragraph 11.3, where no written notice is provided in accordance with that paragraph you will be deemed as not to have declared a personal interest in accordance with this code.

### **Prejudicial Interests**

- 12.1 Subject to sub-paragraph 12.2 below, where you have a personal interest in any business of your authority you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- 12.2 Subject to sub-paragraph 12.3, you will not be regarded as having a prejudicial interest in any business where that business—
- (a) relates to—
    - (i) another relevant authority of which you are also a member;
    - (ii) another public authority or body exercising functions of a public nature in which you hold a position of general control or management;
    - (iii) a body to which you have been elected, appointed or nominated by your authority;
    - (iv) your role as a school governor (where not appointed or nominated by your authority) unless it relates particularly to the school of which you are a governor;
    - (v) your role as a member of a Local Health Board where you have not been appointed or nominated by your authority;
  - (b) relates to—
    - (i) the housing functions of your authority where you hold a tenancy or lease with your authority, provided that you do not have arrears of rent with your authority of more than two months, and provided that those functions do not relate particularly to your tenancy or lease;
    - (ii) the functions of your authority in respect of school meals, transport and travelling expenses, where you are a guardian, parent, grandparent or have parental responsibility (as defined in

section 3 of the Children Act 1989) of a child in full time education, unless it relates particularly to the school which that child attends;

- (iii) the functions of your authority in respect of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of such pay from your authority;
  - (iv) the functions of your authority in respect of an allowance or payment made in accordance with the provisions of Part 8 of Local Government (Wales) Measure 2011 (1), or an allowance or pension provided under section 18 of the Local Government and Housing Act 1989 (2);
- (c) your role as a community councillor in relation to a grant, loan or other form of financial assistance made by your community council to community or voluntary organisations up to a maximum of £500.

12.3 The exemptions in subparagraph 12.2(a) do not apply where the business relates to the determination of any approval, consent, licence, permission or registration.

### **Overview and Scrutiny Committees**

- 13.1 You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—
- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
  - (b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

### **Participation in Relation to Disclosed Interests**

- 14.1 Subject to sub-paragraphs 14.2, 14.2(a) 14.3 and 14.4, where you have a prejudicial interest in any business of your authority you must, unless you have obtained a dispensation from your authority's standards committee—
- (a) withdraw from the room, chamber or place where a meeting considering the business is being held—
    - (i) where sub-paragraph 14.2 applies, immediately after the period for making representations, answering questions or giving evidence relating to the business has ended and in any event



before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration; or

- (ii) in any other case, whenever it becomes apparent that that business is being considered at that meeting;
- (b) not exercise executive or board functions in relation to that business;
- (c) not seek to influence a decision about that business;
- (d) not make any written representations (whether by letter, facsimile or some other form of electronic communication) in relation to that business; and
- (e) not make any oral representations (whether in person or some form of electronic communication) in respect of that business or immediately cease to make such oral representations when the prejudicial interest becomes apparent.

14.2 Where you have a prejudicial interest in any business of your authority you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

- (a) Where you have a prejudicial interest in any business of your authority and submit written representations to a meeting relating to that business, provided that the public are allowed to attend the meeting for the purpose of making representations, answering questions or giving evidence relating to the business, whether under a statutory right or otherwise.
- (b) When submitting written representations under sub paragraph 14.2(a) you must comply with any procedure that your authority may adopt for the submission of such representations.

14.3 Sub-paragraph 14.1 does not prevent you attending and participating in a meeting if—

- (a) you are required to attend a meeting of an overview or scrutiny committee, by such committee exercising its statutory powers; or
- (b) you have the benefit of a dispensation provided that you—
  - (i) state at the meeting that you are relying on the dispensation; and
  - (ii) before or immediately after the close of the meeting give written notification to your authority containing—
    - (aa) details of the prejudicial interest;

- (bb) details of the business to which the prejudicial interest relates;
- (cc) details of, and the date on which, the dispensation was granted; and
- (dd) your signature.

14.4 Where you have a prejudicial interest and are making written or oral representations to your authority in reliance upon a dispensation, you must provide details of the dispensation within any such written or oral representation and, in the latter case, provide written notification to your authority within 14 days of making the representation.

## **PART IV**

### **THE REGISTER OF MEMBERS' INTERESTS**

#### **Registration of Personal Interests**

- 15.1 Subject to sub-paragraph 15.4, you must, within 28 days of—
- (a) your authority's code of conduct being adopted or the mandatory provisions of this model code being applied to your authority; or
  - (b) your election or appointment to office (if that is later),
- register your personal interests, where they fall within a category mentioned in paragraph 10.2(a) in your authority's register of members' interests by providing written notification to your authority's monitoring officer.
- 15.2 Subject to sub-paragraph 15.4, you must, within 28 days of becoming aware of any new personal interest falling within a category mentioned in paragraph 10.2(a), register that new personal interest in your authority's register of members' interests by providing written notification to your authority's monitoring officer.
- 15.3 Subject to sub-paragraphs 15.4, you must, within 28 days of becoming aware of any change to a personal interest falling within a category mentioned in paragraph 10.2(a), register that change in your authority's register of members' interests by providing written notification to your authority's monitoring officer, or in the case of community council to your authority's proper officer.
- 15.4 Sub-paragraphs 15.1, 15.2 and 15.3 do not apply to sensitive information determined in accordance with paragraph 16.1.
- 15.5 Sub-paragraphs 15.1 and 15.2 do not apply if you are a member of a relevant authority which is community council when you act in your capacity as a member of such an authority.
- 15.6 You must, when disclosing a personal interest in accordance with paragraph 11 for the first time, register that personal interest in your authority's register of members' interests by providing written notification to your authority's monitoring officer, or in the case of a community council to your authority's proper officer.

#### **Sensitive Information**

- 16.1 Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to the interest under paragraph 15.

- 16.2 You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under sub-paragraph 16.1 is no longer sensitive information, notify your authority's monitoring officer, or in relation to a community council, your authority's proper officer asking that the information be included in your authority's register of members' interests.
- 16.3 In this code, "sensitive information" ("*gwybodaeth sensitif*") means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

### **Registration of Gifts and Hospitality**

- 17 You must, within 28 days of receiving any gift, hospitality, material benefit or advantage above a value specified in a resolution of your authority, provide written notification to your authority's monitoring officer, or in relation to a community council, your authority's proper officer of the existence and nature of that gift, hospitality, material benefit or advantage.

## PART 5 – CODES AND PROTOCOLS

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### MEMBERS CODE OF CONDUCT

#### ANNEX 1 - MEMBERS' SOCIAL MEDIA CODE OF PRINCIPLES

At the full Council meeting in March 2021, Cardiff Council passed a Motion which recognised that:

- a) Councillors have a duty to promote kind and honest discourse both online and off line;
- b) Discussion, robust debate and scrutiny are vital to a democracy and should not be discouraged, but must be carried out without abuse;
- c) Social media is an increasingly aggressive space where abuse is common place and public figures are often the target for abusive behaviour, which inevitably has a significant detrimental impact on their wellbeing;
- d) Misinformation is often the trigger for such abusive behaviour; and
- e) Anonymous accounts with no trail of accountability are often the worst culprits,

And agreed to introduce a Code of Principles for social media use.

After consideration of this issue by the Standards and Ethics Committee and consultation with Members, the Council has adopted the following principles in relation to its Members' use of social media:

#### 1. Standards of conduct

All Members are required to comply with the duties set out in the statutory [Members Code of Conduct.pdf \(moderngov.co.uk\)](#), and these duties continue to apply to Members' use of social media. Amongst other things the Code requires that:

You must—

- (a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;
- (b) show respect and consideration for others;
- (c) not use bullying behaviour or harass any person; and
- (d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, your authority.

(paragraph 4 of the Code of Conduct)

You must not—

- (a) disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so;
- (b) prevent any person from gaining access to information to which that person is entitled by law.

(paragraph 5 of the Code of Conduct)

You must—

- (a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute;

(paragraph 6.1(a) of the Code of Conduct)

## **2. Respect and consideration**

Members should treat everyone with respect and consideration. Whilst legitimate criticism is part of democratic accountability, criticism should be fair, constructive and courteous, and Members should not post comments which may be regarded as malicious, aggressive, disrespectful or bullying.

## **3. Equality**

Members' comments should treat everyone equally, without discrimination, in particular, against groups with 'protected characteristics' under equality laws (ie. age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation) or Welsh language speakers.

## **4. Professionalism**

Members are expected to participate in robust political debate, but should refrain from making, or acting in any way which encourages, unfair or inaccurate public criticisms of the authority or its councillors or officers doing their jobs. Policies may be criticised, without making unnecessary personal comments.

## **5. Honesty**

Members' comments should reflect views which they honestly hold. They should refrain from making misleading comments.

## **6. Accuracy**

Information given should be factually correct and not misleading. Members should make all reasonable efforts to verify the factual accuracy of the information they post.

## **7. Accountability**

Members should be accountable for their comments, including 'liking' or sharing comments made by others, and are also responsible for making all reasonable efforts to monitor and edit any third-party comments made via their platforms.

If a Member engages a personal assistant (or any other third party) to manage a social media account and or post social media comments or responses on their behalf, the Member must make them aware of the contents of this Code of Principles, and make all reasonable efforts to ensure they fully understand, and are committed to adhering to it.

## **8. Informed**

Members should try to make sure they have sufficient information about a subject before commenting on it and make all reasonable efforts to fully read and understand the substance of information before they 'like' or share it.

## **9. Transparency**

Members should openly identify themselves as a Councillor and should not post anonymous comments or use false accounts. For the avoidance of doubt, this does not prevent Members from posting comments on community pages, as long as the Member is openly identifiable.

## **10. Confidentiality**

Members must take care to avoid disclosing any confidential, exempt or personal information, without clear authorisation or consent from any individuals concerned.

### Status of this Code and Consequences of Breach

By resolution of the Council, this Code has been incorporated into the Members' Code of Conduct for elected Members of Cardiff Council. This means that a failure to comply with any of the above principles may constitute a breach of the Members' Code of Conduct, which may result in misconduct proceedings and associated sanctions being imposed on any Member found to be in breach.

Members are expected to comply with this Code of Principles for the duration of their term of office as a Cardiff Councillor.

### Informal Resolution

Members are encouraged to raise concerns they may have about the content of social media with the member concerned and/or with the relevant Group Whip and Group Leader, saying how they would like the matter to be resolved in a reasonable and proportionate way. For example, this could include asking for a comment to be amended or removed. All members are expected to act in a reasonable manner to seek to resolve any concerns. If this does not achieve resolution, or if it is a recurring problem or a pattern of behaviour, members are encouraged to report their concerns to the Monitoring Officer.

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## Appendix A

### Local Resolution Protocol

#### 1. Introduction

- 1.1. By way of background, around a third of complaints referred to the Public Services Ombudsman for Wales (**Ombudsman**) are made by a Member against a fellow Member. Many of these complaints relate to low-level behavioural issues, typically during what may often be seen as the "cut and thrust" of normal Council debates and local politics. Many of these, if investigated by the Ombudsman, would not result in a sanction being imposed.
- 1.2. This Protocol has been adopted in response to the Ombudsman's latest guidance on the Code of Conduct for Members (**Code**) which states that "low-level, Member-on-Member" complaints relating to breaches of the Code should be dealt with at a local level. The Ombudsman's aim of doing so is to seek the resolution of matters at an early stage so as to avoid unnecessary escalation.
- 1.3. This Protocol seeks to define what is meant by "low-level, Member-on-Member" complaints and sets out the procedure to be adopted in response to them.
- 1.4. It is important to note that this protocol does not preclude Members from referring any complaint to the Ombudsman if they so wish. However Members should note that the Ombudsman has made clear that, in normal circumstances, it is expected that in the first instance Members should exhaust the procedures set out in this Local Protocol before referring low-level complaints to the Ombudsman.

#### 2. What is a "low-level, Member on Member" complaint?

- 2.1. In order to fall within the remit of this Protocol a complaint should satisfy all of the following criteria:
- a. The complaint is made by a Member of the Council and relates to a breach of the Code by a fellow Member.<sup>1</sup>
  - b. The complaint is "low-level" in nature. Whether or not a complaint is "low-level" in nature will be dependant on the individual circumstances of a complaint.

The Ombudsman has indicated that *"typically these complaints will be about alleged failures to show respect and consideration for others as required by*

<sup>1</sup> Members should not encourage non-Members to make complaints simply to avoid the application of this Protocol. Doing so, in itself, is likely to be viewed as a breach of the Code (for example, under Paragraph 6(1) of the Code).

*paragraph 4(b) of the Code or the duty to not make vexatious, malicious or frivolous complaints against other members under paragraph 6(1)(d) of the Code”.*

If you are unsure whether a matter you wish to complain about is “low-level” then you may wish to discuss this with the Monitoring Officer (who may consult with the Ombudsman’s office) to obtain guidance.

- c. The complaint does not relate to repeated occurrences of similar conduct that has already been dealt with under this Protocol or by the Ombudsman. In the event that the complaint relates to such a “repeated offence” it is likely that it will be appropriate to refer the matter to the Ombudsman directly.

### **3. Procedure**

- 3.1. In the event of a Member seeking to make a complaint that may fall within the definition of a “low-level, Member on Member” complaint, that Member should first arrange to meet with the Monitoring Officer (or their deputy or other appointed officer who may assume the role of the Monitoring officer under this Protocol). The purpose of doing so is to determine whether the matter should be dealt with under this Protocol or whether the matter should be referred directly to the Ombudsman.
- 3.2. If it is decided that the matter should be dealt with under this Protocol the following procedure shall be followed.
- 3.3. Firstly, the Monitoring Officer will consider whether the matter can be resolved by mutual resolution. If so, then the Monitoring Officer shall arrange a meeting of the Members concerned with the aim of seeking an informal resolution of the matter. In doing so the Monitoring Officer may:
  - i require the attendance of any Group Leader, Member or Officer as they determine may be beneficial to resolving the complaint; and
  - ii adopt such arrangements (such as “breaking out” to meet with the individuals concerned privately or adjourning the meeting to ask individuals to reflect on their position) as they deem beneficial in an attempt to resolve the complaint.
- 3.4. If the matter cannot be resolved by mutual resolution, the Member bringing the complaint may ask the Monitoring Officer to refer the matter to the Standards & Ethics Member Hearing Sub-Committee (**Hearing Panel**).

#### 4. Standards & Ethics Hearing Panel Proceedings

4.1. The Hearing Panel shall adopt and make available to all Members a procedure under which it shall carry out hearings. If a matter is brought before the Hearing Panel then the Hearing Panel shall hold a hearing to determine the matter in accordance with its hearing procedure.

4.2. The sanctions available to the Hearing Panel should it find that there has been a breach of the Code shall be:

- a. A statement that the complaint has substance, but no further action is required.
- b. Referral of the Member for training on a particular topic.
- c. A private or public written warning. If public, that warning shall be announced and circulated at the next meeting of Council.
- d. Censure of the Member at the next meeting of Council.
- e. Referral to the Ombudsman for investigation if the complaint is considered to be deserving of more serious sanctions than the Hearing Panel has the power to impose.

4.3. In making a decision on the sanctions to be imposed, the Hearing Panel may take into account (but is not limited to considering):

- a. The severity of the offence.
- b. The level of remorse the Member in question has shown and any apologies they have made.
- c. Whether there is an indication of the behaviour being repetitious or whether the Member has previously been found to have committed similar offences.

1. Introduction

The purpose of this study is to investigate the effects of the proposed system on the performance of the participants. The study is a quasi-experimental design with a pre-test and a post-test. The participants were divided into two groups: the control group and the experimental group. The control group received the traditional training, while the experimental group received the proposed system. The data were collected and analyzed using statistical methods.

The results of the study show that the proposed system has a significant positive effect on the performance of the participants. The experimental group showed a significant improvement in performance compared to the control group. The results are statistically significant at the 0.05 level.

The study has several limitations. First, the sample size was small, which may affect the generalizability of the results. Second, the study was a quasi-experimental design, which may introduce confounding variables. Finally, the study was a short-term study, which may not capture long-term effects.

Future research should investigate the long-term effects of the proposed system. A larger sample size and a randomized controlled trial would be beneficial. Additionally, a longer-term study would help to determine the sustainability of the improvements.

In conclusion, the proposed system has a significant positive effect on the performance of the participants. The results are statistically significant at the 0.05 level. The study has several limitations, and future research should investigate the long-term effects of the proposed system.

The study was conducted in a laboratory setting. The participants were trained in a specific task. The results may not be generalizable to other tasks or settings. The study was a quasi-experimental design, which may introduce confounding variables.

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**CITY OF CARDIFF COUNCIL**  
**LOCAL RESOLUTION PROTOCOL**  
**STANDARDS AND ETHICS COMMITTEE**  
**HEARINGS PANEL PROCEDURE**

**1. Introduction**

- 1.1. The City of Cardiff Council has adopted a Local Resolution Protocol. The purpose of the Protocol is to enable minor “member on member” allegations of breaches of the Members’ Code of Conduct to be dealt with at a local level rather than being referred to the Public Services Ombudsman for Wales.
- 1.2. In accordance with the Protocol a Sub-Committee of the Standards and Ethics Committee has been formed to carry out hearings in relation to alleged breaches. This Sub-Committee is referred to in this document as the “**Hearings Panel**”.
- 1.3. This document sets out how matters may be referred to the Hearings Panel and the Procedure that the Panel shall adopt in relation to matters that are referred to it.
- 1.4. In this document references to the Monitoring Officer shall include references to their Deputy or other officer appointed for the purposes of the Protocol.

**2. Stage 1 (Initiation of a Complaint)**

- 2.1. Any Member who wishes to make a complaint under the Protocol should send their complaint in writing to the Monitoring Officer within three months of the event which has given rise to the complaint; or within three months of the substance of the complaint coming to the attention of the Member submitting the complaint.
- 2.2. The Monitoring Officer will advise the Complainant whether the complaint falls within the Protocol or whether the Complainant should consider referral to the Ombudsman.
- 2.3. If the Monitoring Officer determines that the complaint falls within the Protocol he/she will advise the Respondent of the complaint and will seek an informal resolution of the matter (although see paragraph 2.4 below). The parties should note that details of attempts to achieve an informal resolution may be referred to at any subsequent hearing by the Hearings Panel.
- 2.4. The complaint may be referred to a meeting of the Hearings Panel if:

- a. the Monitoring Officer is of the view that making informal attempts to mutually resolve the matter is inappropriate; or
- b. having made attempts to mutually resolve the matter, the Complainant asks the Monitoring Officer to refer the matter to the Hearings Panel.

2.5. In such cases the Monitoring Officer will make arrangements to convene a meeting of the Hearings Panel and to refer that matter to it.

2.6. The Monitoring Officer may choose not to deal with the complaint personally at Stage 1 in order to be able to advise the Hearings Panel under Stage 2, in which case the Deputy Monitoring Officer or other officer nominated for the purpose will provide advice to the parties under Stage 1 and seek informal resolution.

Alternatively if the Monitoring Officer deals with the complaint at Stage 1 the Deputy Monitoring Officer or other officer nominated for the purpose will advise the Hearings Panel at Stage 2.

### **3. Stage 2 (Referral to the Hearings Panel)**

The steps required in paragraphs 3.1 and 3.2 are compulsory.

3.1. The Complainant will provide the Monitoring Officer with written details of their complaint to include:

- i a written account of the conduct that has given rise to the complaint;
- ii a list of any witnesses whom the Complainant wishes to call to appear before the Hearings Panel;
- iii a list and copies of any documents that the Complainant wishes to draw to the attention of the Hearings Panel; and
- iv details of the paragraphs of the Members' Code of Conduct that are alleged to have been breached.

3.2. The Monitoring Officer will give the Respondent a copy of the documents referred to in paragraph 3.1 above. The Respondent will give the Monitoring Officer written details of their response to the allegations to include:

- i written details of the Respondent's response to the facts as alleged by the Complainant;
- ii a list of any witnesses whom the Respondent wishes to call to appear before the Hearings Panel; and
- iii a list and copies of any documents that the Respondent wishes to draw to the attention of the Hearings Panel.

3.3. Prior to the hearing the Monitoring Officer will arrange for the documents referred to in paragraphs 3.1 and 3.2 to be made available

to the Panel Members, the Complainant, and the Respondent. If the Monitoring Officer believes it appropriate in the circumstances the Monitoring Officer will also provide a Report in relation to any investigations into or attempts to settle the complaint or any other matter that the Monitoring Officer believes to be relevant to the deliberations of the Hearing Panel.

- 3.4. If a matter involves cross allegations with two or more Members making allegations of breaches of the Code against each other, the Monitoring Officer (in consultation with the Chair) may convene one Hearing to deal with all such allegations simultaneously. In such circumstances the Monitoring Officer may amend the requirements of paragraphs 3.1 – 3.3 to ensure that a fair opportunity to present and respond to complaints is afforded to each Member prior to the Hearing.

#### **4. Legal Advice and the Monitoring Officer's Role at Hearings**

- 4.1. The Monitoring Officer, Deputy Monitoring Officer, or other officer nominated for the purpose shall be in attendance at hearings to advise the Hearings Panel.
- 4.2. If the Monitoring Officer has investigated a complaint, he/she may attend a hearing in his/her role as the person who has investigated the complaint and will not be present to provide legal advice to the Hearings Panel. In such cases, the Deputy Monitoring Officer or another of the Authority's lawyers will be present to advise the Hearings Panel.
- 4.3. The Hearings Panel may take legal advice from its advisor at any time before or during the hearing or while the outcome is being considered.

#### **5. Attendance and Representation at Hearings**

- 5.1. If Members who are party to the complaint do not wish to attend the hearing or fail to attend the hearing the hearing may proceed in their absence.
- 5.2. Members may be represented or accompanied during the hearing by another Member, or any other person if they so desire. However when making a decision on representation Members should bear in mind that Local Resolution is intended to provide a relatively informal forum to resolve relatively minor complaints.
- 5.3. Members are responsible for meeting their own costs of any representation.

#### **6. Composition and Decisions of the Hearings Panel**

- 6.1. The Hearings Panel shall be composed of three independent members of the Standards and Ethics Committee. Alternatively the Standards and Ethics Committee may also resolve to co-opt suitably experienced independent persons to serve as members on the Hearings Panel.
- 6.2. The Hearings Panel shall appoint one of their number to serve as Chair for each hearing.
- 6.3. Except for decisions that are expressed in this Procedure to be taken by the Chair, any decision of the Hearings Panel shall be made on the basis of a simple majority vote.

## **7. General Powers of the Hearings Panel in relation to this Procedure**

- 7.1. The Chair may agree to vary this procedure in any particular instance where he/she is of the opinion that such a variation is necessary in the interests of fairness. The Chair may also vary this procedure in the interests of ensuring an efficient hearing (provided that such variation does not have any detrimental impact on the fairness of the proceedings).
- 7.2. Panel members may ask any questions they wish to anyone taking part in the Hearing.
- 7.3. The Panel may also seek the attendance of a particular person or the production of specific documentation where they are of the view it would assist their deliberations.

## **8. Introductions**

- 8.1. At the start of the hearing the Chair shall introduce each of the Members of the Hearings Panel and everyone involved in the hearing. The Chair shall then explain the procedure that the Panel is to follow in conducting the hearing and should obtain confirmation from everybody taking part in the hearing that they have understood the procedure.

## **9. Additional Information**

- 9.1. If a party wishes to present additional information to the Panel that was not included in the written material that they produced for circulation prior to the hearing they should apply to the Panel for permission to do so before the commencement of the formal part of the hearing.
- 9.2. It will assist if the Legal Advisor and the other party have been provided with details of the late information as early as possible but at least two days before the commencement of the hearing. The Panel retains sole discretion whether to permit the late introduction of



information but shall always seek to ensure that neither party is prejudiced and all parties are able to present evidence which is relevant to the matters before the Panel.

## **10. Order of Procedure at the Hearing**

- 10.1. After the introductions and any other preliminary matters the Complainant may address the Hearings Panel and may be questioned by members of the Panel.
- 10.2. Any witnesses that the Claimant wishes to call may address the Hearings Panel and may be questioned by members of the Panel.
- 10.3. The Respondent may address the Hearings Panel and may be questioned by members of the Panel.
- 10.4. Any witnesses that the Respondent wishes to call may address the Hearings Panel and may be questioned by members of the Panel.
- 10.5. The Complainant may address the Hearings Panel with any closing remarks.
- 10.6. The Respondent may address the Hearings Panel with any closing remarks.
- 10.7. The Hearings Panel will retire to deliberate in private.

## **11. The Hearings Panel's Deliberations**

- 11.1. When it deliberates the Hearings Panel will make any necessary findings about the facts. It will then consider whether the Respondent failed to follow the Members' Code of Conduct.
- 11.2. If the Hearings Panel determines that the Respondent has not breached the Members' Code of Conduct it shall dismiss the complaint, but it may make general recommendations or remarks to the Members involved or to all Members.
- 11.3. If the Hearings Panel determines that the Respondent has failed to follow the Code it shall consider what sanction, if any, to impose. The sanctions available to the Panel under the Local Resolution Protocol are as follows:
  - (i) A statement that the complaint has substance but no further action is required
  - (ii) Referral of the Respondent for training on a particular topic.
  - (iii) A private or public written warning. If public, that warning shall be announced and circulated at the next meeting of Council.

(iv) Censure of the Respondent at the next meeting of Council.

(v) Referral to the Public Services Ombudsman for investigation if the complaint is considered to be deserving of more serious sanctions than the Hearings Panel has the power to impose.

In making a determination as to sanction the Hearings Panel may consider any factor that they consider to be relevant, including:

- i the severity of the offence;
- ii the level of remorse that the Respondent has shown and any apologies that they have made; and
- iii whether there is an indication of the behaviour being repetitious or whether the Respondent has previously been found to have committed similar offences.

11.4. Once a decision has been reached by the Hearings Panel the parties may re-convene and the Chair will announce the decision orally.

## **12. The Written Decision**

12.1. The Panel will issue a written decision shortly after the end of the Hearing. The written decision shall be published on the Authority's website not later than 14 days after the date of the Hearing for a period of 21 days.

## **CODE OF CONDUCT COMPLAINT CDC 21/003**

### **MONITORING OFFICER'S REPORT**

COMPLAINANT: CLLR BABLIN MOLIK

RESPONDENT: CLLR MICHAEL MICHAEL

#### **Complaint**

1. On 13<sup>th</sup> April 2021, Cllr Molik made a complaint to the Monitoring Officer (MO) alleging that in email correspondence between Cllr Molik and Cllr Michael regarding green waste collections dated from 9<sup>th</sup> April 2021 to 12<sup>th</sup> April 2021, Cllr Michael had attacked her and become personal in his responses to the questions she asked him in order for her to respond to a resident.
2. Cllr Molik supplied copies of the email correspondence as evidence to support her complaint.
3. Cllr Molik said that Cllr Michael's conduct constituted unacceptable bullying behaviour, in breach of the Members' Code of Conduct.

#### **Informal Resolution**

4. The Monitoring Officer confirmed that the complaint fell within the scope of the Local Resolution Protocol approved by Council.
5. With the agreement of Cllr Molik, the Monitoring Officer contacted Cllr Michael and asked if he would be prepared to apologise to Cllr Molik in order to informally resolve this matter in accordance with the Local Resolution Protocol. Cllr Michael made clear that he would not apologise.
6. On 16<sup>th</sup> April 2021, Cllr Molik confirmed that she wished to pursue her complaint. She said she was aware of multiple occasions when Cllr Michael had behaved in a similar way and that she did not think his behaviour was appropriate, professional or acceptable.

#### **Referral to the Hearings Panel**

7. On 13<sup>th</sup> May 2021, in accordance with the Local Resolution Protocol, the Monitoring Officer referred Cllr Molik's complaint to the Hearings Panel for determination.
8. As the Monitoring Officer had advised on the complaint and attempted to resolve it informally, she asked the Deputy Monitoring Officer to advise the Hearings Panel on this matter and make all necessary arrangements.

Davina Fiore  
Director of Governance and Legal Services and Monitoring Officer  
2<sup>nd</sup> November 2021

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Appendix E – Email correspondence between Cllr Molik and Cllr Michael regarding Green Waste Collections (*redacted to remove third party personal data*)

**From:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>  
**Sent:** 13 April 2021 11:11  
**To:** Fiore, Davina <[Davina.Fiore@cardiff.gov.uk](mailto:Davina.Fiore@cardiff.gov.uk)>  
**Cc:** Carter, Joseph (Cllr) <[JCarter@cardiff.gov.uk](mailto:JCarter@cardiff.gov.uk)>  
**Subject:** FW: Green waste collection

---

**From:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>  
**Sent:** 12 April 2021 21:07  
**To:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>  
**Cc:** [REDACTED]; Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>; Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>  
**Subject:** Re: Green waste collection

Bablin.Thank you for your email.

Is that the new Lib Dem motto.

Open.Honest and Transparent.

When are you going to start ?

Regards

Michael

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---

**From:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>  
**Sent:** Monday, April 12, 2021 8:43:02 PM  
**To:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>  
**Cc:** [REDACTED]; Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>; Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>  
**Subject:** RE: Green waste collection

Cllr Michael,

You state you get daily updates (as the cabinet member for Environment, you surely will have more insight than I would) and I would like to confirm that I do not get any daily update I am lucky if I see an email from the department to update me with any form of explanation 'after' failure of collection weekly.

You state "The new collections are working and all of the figures I have seen and the information I get on a daily basis shows me the progress that we are making towards a better

service for the residents of Cardiff.” I am totally astonished at this remark. Are you not seeing the weekly emails I and many other councillors are doing about failed or missed collection?

I know that there are problems with our systems that allow residents to raise concerns. [REDACTED] [REDACTED] has shared her experience of trying to use our internet and telephone service to try and report missed collection. I have raised this at council and I know Cllr Weaver (Cabinet member) has been looking into the matter with an officer.

Many residents are fed up of raising the issues and week after week collections are not happening as they should. The Friday collections are simply not happening on Friday and it is hit and miss as to if they are collected through the week-end or through the week.

Could you provide us with an honest answer as to why this is occurring every week and when and if the collections will happen as the program suggests? It is best to be honest, open and transparent about such matters. Perhaps people will be more understanding of the situation.

Thank you

**Cllr (Dr) Bablin Molik**  
**Liberal Democrats Councillor for Cyncoed & Lakeside**

07779975394

[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)



@BablinMolik

---

**From:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>

**Sent:** 10 April 2021 12:15

**To:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>

**Cc:** [REDACTED]; Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>; Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>

**Subject:** Re: Green waste collection

Bablin. You get the same updates as every other councillor. The way you choose to use it to inform your residents is a matter for you.

The new collections are working and all of the figures I have seen and the information I get on a daily basis shows me the progress that we are making towards a better service for the residents of Cardiff.

Have a good weekend.

Regards

Michael

Councillor Michael Michael  
Councillor for Trowbridge and St Mellons  
Cabinet Member Clean Streets and Environment

---

**From:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>  
**Sent:** Saturday, April 10, 2021 12:08:15 PM  
**To:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>  
**Cc:** [REDACTED]; Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>; Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>  
**Subject:** RE: Green waste collection

Cllr Michael,

Please do explain why you feel I don't understand how council processes take place and what did I say that demonstrates this lack of understanding? It is important I do understand to be able to explain to residents why their waste is still not being collected as promised.

Much appreciated  
Cllr Bablin Molik

---

**From:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>  
**Sent:** 10 April 2021 12:02  
**To:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>  
**Cc:** [REDACTED]; Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>; Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>  
**Subject:** Re: Green waste collection

Bablin, You told me your job in a previous email so you brought it up not me. Again you demonstrate a lack of understanding of the way council processes take place and decisions are taken.

Regards  
Michael

Councillor Michael Michael  
Councillor for Trowbridge and St Mellons  
Cabinet Member Clean Streets and Environment

---

**From:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>  
**Sent:** Saturday, April 10, 2021 11:59:20 AM  
**To:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>  
**Cc:** [REDACTED]; Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>; Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>  
**Subject:** RE: Green waste collection

Cllr Michael,

This has nothing to do with my job role elsewhere.

I didn't want you to be using miss-leading details to respond to residents. Shielding was lifted end of March and so to use that as a reason for failure of service this week is not acceptable.

If you seriously understood the impact of the pandemic you would not have changed a system during a pandemic and caused the mayhem. Simple failure in decision making and leadership which has led to officer and ground staff being over-stretched and residents not getting basic service. Unacceptable.

**Cllr (Dr) Bablin Molik**  
**Liberal Democrats Councillor for Cyncoed & Lakeside**

07779975394

[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)



@BablinMolik

Councillor Surgeries held on:

3<sup>rd</sup> Saturday of the month at 10am on Zoom

---

**From:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>

**Sent:** 09 April 2021 19:15

**To:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>

**Subject:** Re: Green waste collection

Sorry Predictive text.Bablin .

Regards

Michael

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---

**From:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>

**Sent:** Friday, April 9, 2021 7:14:34 PM

**To:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>

**Subject:** Re: Green waste collection

Banking.Thank you for your comments.I forgot you are the CEO of a third sector charity and would have sorted it in hours.

Regards

Michael

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---

**From:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>

**Sent:** Friday, April 9, 2021 7:03:50 PM

**To:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>; [REDACTED]

**Cc:** Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>

**Subject:** Re: Green waste collection

Cllr Michael,

Shielding was lifted end of March. We did expect service to be working smoothly now.



Cllr Bablin Molik

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---

**From:** [REDACTED]  
**Sent:** Friday, April 9, 2021 4:39:54 PM  
**To:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>  
**Cc:** Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>; Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>  
**Subject:** RE: Green waste collection

**EXTERNAL:** This email originated from outside Cardiff Council, take care when clicking links.  
**ALLANOL:** Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Cllr Michael,

Thank you for your prompt reply.

Cardiff Council expects me to pay my council tax every month without delay and I'm afraid that as I don't get any flexibility in regard to this then I expect my rubbish to be collected on the assigned day every week. I have paid for this service therefore I expect the council to act accordingly. I don't go to Tesco for shopping and leave empty handed with a vague promise that my food order will arrive some time in the future.

I am on the Assisted Lift Scheme as I have told you previously which means that my full bin is now blocking access to my drive and as I am disabled I cannot move it until it has been emptied. Your comment about the pandemic are irrelevant as you decided to change the system during this crisis and if you are short of staff then I suggest you act as a manager should and employ temporary staff until the others return from sick leave. By the way shielding has now ended, I'm sure your pal Vaughan Gethin can confirm that for you.

I expect the service that I have paid for to be provided and so far you are falling well short of an acceptable standard. You need to do better councillor. A view which is being echoed throughout the city.

Mrs [REDACTED]

---

**From:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>  
**Sent:** 09 April 2021 16:22  
**To:** [REDACTED]  
**Cc:** Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>; Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>  
**Subject:** Re: Green waste collection

[REDACTED]. Thank you for your email. The 4 day week collections are working satisfactory. Recycling. Residual. Food and Php are being collected on time.

We are experiencing some delay on garden waste. Not surprising when we are in a pandemic and we have drivers and crew shielding.

Please leave your garden waste outside and it will be collected.

Regards

Michael

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---

**From:** [REDACTED]

**Sent:** Friday, April 9, 2021 4:04:42 PM

**To:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>

**Cc:** Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>; Molik, Bablin (Cllr)

<[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>

**Subject:** Green waste collection

**EXTERNAL:** This email originated from outside Cardiff Council, take care when clicking links.

**ALLANOL:** Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Dear All,

Unfortunately the green garden waste bins have not been emptied in Beatty Avenue. I have contacted C2C and been told that this collection has been rescheduled for Saturday 10<sup>th</sup> April. No doubt the extra cost of staff working on a Saturday will be borne by the hard pressed council tax payers of Cardiff through the inflation busting 3:5% increase in this tax for 2021/22.

The system worked much better on a 5 day week.

This “ reorganisation” needs urgent reconsideration as it clearly isn’t working. I understand that Radyr only had its green bins emptied today, Friday, when it should have been Tuesday. There seems to be no end to this shambles.

Mrs [REDACTED]

## Appendix G – Cllr Michael’s Response to the Complaints

**EXTERNAL:** This email originated from outside Cardiff Council, take care when clicking links.

**ALLANOL:** Daw'r e-bost hwn o'r tu allan i Gyngor Caerdydd, cymerwch ofal wrth glicio ar ddolenni.

Both.I have now had a bit of time to look at the complaint from Coun Molik and all I can see is Coun Molik stating I have been rude to her but giving no evidence of my being so.

Throughout my emails I make a robust defence of my portfolio and officers by asking for evidence to support Coun Molik statements to me but Coun Molik fails to provide any .

The change to a 4-day working week is the biggest change in the waste collections services for over 20 years and as such I made sure that councillors were kept informed.

I had meetings with both the leadership of the Conservative and Liberal Democrat opposition as well as meetings with all councillors in order for them to understand the changes.

Councillors are able to call me or email me with any concerns and a lot of them in all parties did so.

Interestingly when the last major change took place in waste services it was in 2011 and Coun Molik’s party were responsible.

At the time a council statement was put out stating that when the crews learned their new rounds then the service would settle down(as indeed is the case).

I put out a similarly worded statement but this was ignored by Coun Molik.

Councillors respond in different ways and in my view Coun Molik received some emails that were critical of the changes and she chose to respond in a negative way.looking to blame me for the changes.

Councillors were given regular updates to the way the changes were panning out as well as the pandemic and the driver shortages we were dealing with.

Unfortunately Coun Molik was more interested in scoring political points than understanding the situation and communicating with her residents.

The second complaint I find strange as it was from 2018.As the film shows I answered Coun Molik questions and I was then asked a supplementary question by Coun Owen Jones,

Coun Jones asked me about the black and recycling bags that were being ripped open by gulls in his ward and I explained that we were looking to put out more black bins in order to make it difficult for gulls to pick at the plastic bags.

Indeed we are now looking to roll out in the summer a different bags that would not be ripped up by gulls.

I am puzzled that Coun Molik states that I answered the questions in a different way as they were different questions.

Coun Molik unfortunately seems to believe that it's my job to agree with her and if I don't I'm being rude.

This is politically and factually incorrect, I would refer you to the statement by the local service's ombudsman a few years ago when he stated that "Councillors should grow a thicker skin"

It seems that it's ok for Coun Molik to send email to me questioning whether I have been open, honest and transparent but she believes it's ok to throw mud at me and question the work I and my officers are doing without any evidence to support her but I mustn't argue back.

In my view Coun Molik is using the standards and ethics committee for her own politically driven motives.

Regards

Michael

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## Appendix G1 - Cllr Michael's Supplementary Response to the Complaints

**From:** Michael, Michael (Cllr) <Michael.Michael@cardiff.gov.uk>  
**Sent:** 09 November 2021 18:12  
**To:** Ariyadasa, Kumi <KAriyadasa@cardiff.gov.uk>  
**Cc:** Williams, James <James.Williams2@cardiff.gov.uk>; Farnham, Mandy <Mandy.Farnham@cardiff.gov.uk>  
**Subject:** RE: Code of Conduct Complaint CDC 21/003 - Pre-Hearing Arrangements - RESPONSE REQUIRED TODAY PLEASE  
**Sensitivity:** Confidential

Kumi.Having reread the complaint from Coun Molik I would make the following points.  
At no time was I rude or bullying to Coun Molik in any of the emails provided.As far back to the email from Coun Molik on the 7.3.21 Coun Molik questions both the Deputy Directors honesty as well as mine .  
Coun Molik again questions my honesty in the first paragraph in the email send on the 20.3.21.  
It seems that its ok for Coun Molik to question my honesty but takes offence when I robustly defend my service area for the fantastic job they were doing during the pandemic.  
Coun Moliks questions to myself on my statement during the council meeting on the 21 Jan seemed to me to be an attempt by her to dismiss the huge effort made by the whole of the staff ranging from the management through to the crew members in what is still a pandemic situation.  
I merely reminded her that the pandemic was ongoing and it had an ongoing effect with drives and crews shielding and isolating.

In answer to a question earlier I again made the offer to engage with members from all political parties to make sure that councillors were informed about the reasons we were undertaking the changes to the waste collections.  
These were the biggest changes in waste collections in this city for a generation and it was important that councillors were kept informed.  
Throughout our email exchange it seemed to me that Coun Molik was only interested in scoring political points and while not only questioning my integrity and honesty but seemed quite happy to downplay the role of the pandemic on our crews.  
On several occasions Coun Molik informs me that she was the CEO of a third sector provider and she would have had plans to deal with the problems we and the rest of the country were experiencing.  
It was Coun Molik who brought this up not me.  
I get hundreds of emails to deal with and at no time have I received any complaints about my responses,  
I consider my responses to be robust in supporting my officers and take note that this is local politics and not a game,  
The old saying that if you give it you should also be able to take it applies in my view as well as the ruling by the public service ombudsman a short while ago that councillors should grow a thicker skin.  
It seems ok for me to go to council meetings and be subject to all kinds of allegations but I must behave like a choirboy .  
In my view this is simply nonsense, I was elected in 1997 and this is the first time I have had a complaint of this nature against me.

In the third complaint Coun Molik is complaining that I answered two question in a different way.it was two separate questions about two separate incidents,of course it would be two answers.  
I object to Coun Molik try to bring up something that happened in 2018.  
Its simply not appropriate to try to construct a different narrative in a way that Coun Molik wishes.

The regulations state that if Coun Molik believed there was a complaint she had three months to complain, she did not.

It is not acceptable for Coun Molik to engineer evidence where it does not exist and it shows a complete lack of respect.

Cofion | Regards

*Michael*

**Y Cyng | Cllr Michael Michael**

**Aelod Cabinet dros Glân, Ailgylchu a'r Amgylchedd | Cabinet Member for Streets, Recycling & Environment**

**Cyngor Caerdydd | Cardiff Council**

t: +44 (0) 2920 87 2479

e: [Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)

Appendix H1 – Emails between Assistant Director, Waste Services and Cllr Molik  
(redacted to remove third party personal data)

Kumi.I am going through my emails and I will send you some that I believe show Coun Molik from the beginning wanted to spin the 4 day week collections as a failure.

Regards

Michael

I will just pass them on to you by email.

Regards

Michael

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**From:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>  
**Sent:** Sunday, March 7, 2021 7:19:10 PM  
**To:** Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>  
**Cc:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>  
**Subject:** Re: 4 day working collections update - Friday

Matthew,

I know 2 properties on Beatty Avenue (24 & her neighbour) both on priority list due to their disability have not had their green bags collected.

I had few others contact any say the black bins had not been collected, but they didn't provide specific address as it was a widespread issue across the ward.

We have been dealing with pandemic for a year. We know people will be unwell or isolating & so a full program of back up support should have been in place in workforce Planning? I work as a CEO of a third sector organisation providing health & social care services, even I made such plans. It is shocking that our bin collection program has been so disruptive for so many months now & we are still saying because of pandemic these problems are occurring on year on. Provisions & plans need to improve, residents don't want to hear excuses any more.

Can you tell why if during the pandemic the collection have been so difficult to manage did we move to a 4 day program? Why bring such a change if we're struggling anyway? Sorry but I have begun to lose faith in our environmental directive and management. It has got to improve.

One other thing, residents have attempted to report missed collection but couldn't. The app wasn't allowing them. Could you explain why? One event called at 3.45pm and was told to call after 4pm (as 4pm was deadline on Friday). Of course she tried after 4pm but couldn't get any answer, why?

I would appreciate your honest responses & action in addressing concerns.

Cllr Bablin Molik

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**From:** Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>  
**Sent:** Sunday, March 7, 2021 9:13:06 AM  
**To:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>; Kelloway, Kathryn (Cllr) <[Kathryn.Kelloway@cardiff.gov.uk](mailto:Kathryn.Kelloway@cardiff.gov.uk)>; Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>; Walker, David (Cllr) <[DWalker@cardiff.gov.uk](mailto:DWalker@cardiff.gov.uk)>; Jenkins, Shaun (Cllr) <[Shaun.Jenkins@cardiff.gov.uk](mailto:Shaun.Jenkins@cardiff.gov.uk)>; Lancaster, John (Cllr) <[John.Lancaster@cardiff.gov.uk](mailto:John.Lancaster@cardiff.gov.uk)>; Melbourne, Sian-Elin (Cllr) <[Sian-Elin.Melbourne@cardiff.gov.uk](mailto:Sian-Elin.Melbourne@cardiff.gov.uk)>; Parkhill, Thomas (Cllr) <[Tom.Parkhill@cardiff.gov.uk](mailto:Tom.Parkhill@cardiff.gov.uk)>; Robson, Adrian (Cllr) <[ARobson@cardiff.gov.uk](mailto:ARobson@cardiff.gov.uk)>; Cowan, Jayne (Cllr) <[JCowan@cardiff.gov.uk](mailto:JCowan@cardiff.gov.uk)>; Owen, Oliver (Cllr) <[Oliver.Owen@cardiff.gov.uk](mailto:Oliver.Owen@cardiff.gov.uk)>; Morgan, Linda (Cllr) <[Linda.Morgan@cardiff.gov.uk](mailto:Linda.Morgan@cardiff.gov.uk)>; Jones-Pritchard, Michael (Cllr) <[Michael.JonesPritchard@cardiff.gov.uk](mailto:Michael.JonesPritchard@cardiff.gov.uk)>; Phillips, Michael (Cllr) <[Michael.J.Phillips@cardiff.gov.uk](mailto:Michael.J.Phillips@cardiff.gov.uk)>; Rees, Mia (Cllr) <[Mia.Rees@cardiff.gov.uk](mailto:Mia.Rees@cardiff.gov.uk)>; Berman, Rodney (Cllr) <[Rodney.Berman@cardiff.gov.uk](mailto:Rodney.Berman@cardiff.gov.uk)>; Boyle, Joe (Cllr) <[Joe.Boyle@cardiff.gov.uk](mailto:Joe.Boyle@cardiff.gov.uk)>; Ali, Asghar (Cllr) <[Asghar.Ali@cardiff.gov.uk](mailto:Asghar.Ali@cardiff.gov.uk)>  
**Subject:** Re: 4 day working collections update - Friday

Bablin,

Can you confirm which streets have not been cleared as I have had no messages from other Councillors with regards the list I provided. I am attempting to be upfront with all Local Members with regards information and I can only support your concerns if I know details.

The changes in waste are probably the biggest since we became containerised and rolled out wheelie bins. The 4 day working is just the frame of a number of significant changes to collections including ensuring an efficient and effective collection service for Cardiff. The service would never hide behind a pandemic but



when drivers are unable to work due to Covid we are not able to simply replace, a bit like a doctor or nurse in a hospital.

If you can let me know any details for you concerns I will ensure the team addresses the missed streets.

Thanks

Matt

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**From:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>  
**Sent:** Saturday, March 6, 2021 10:24:58 PM  
**To:** Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>; Kelloway, Kathryn (Cllr) <[Kathryn.Kelloway@cardiff.gov.uk](mailto:Kathryn.Kelloway@cardiff.gov.uk)>; Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>; Walker, David (Cllr) <[DWalker@cardiff.gov.uk](mailto:DWalker@cardiff.gov.uk)>; Jenkins, Shaun (Cllr) <[Shaun.Jenkins@cardiff.gov.uk](mailto:Shaun.Jenkins@cardiff.gov.uk)>; Lancaster, John (Cllr) <[John.Lancaster@cardiff.gov.uk](mailto:John.Lancaster@cardiff.gov.uk)>; Melbourne, Sian-Elin (Cllr) <[Sian-Elin.Melbourne@cardiff.gov.uk](mailto:Sian-Elin.Melbourne@cardiff.gov.uk)>; Parkhill, Thomas (Cllr) <[Tom.Parkhill@cardiff.gov.uk](mailto:Tom.Parkhill@cardiff.gov.uk)>; Robson, Adrian (Cllr) <[ARobson@cardiff.gov.uk](mailto:ARobson@cardiff.gov.uk)>; Cowan, Jayne (Cllr) <[JCowan@cardiff.gov.uk](mailto:JCowan@cardiff.gov.uk)>; Owen, Oliver (Cllr) <[Oliver.Owen@cardiff.gov.uk](mailto:Oliver.Owen@cardiff.gov.uk)>; Morgan, Linda (Cllr) <[Linda.Morgan@cardiff.gov.uk](mailto:Linda.Morgan@cardiff.gov.uk)>; Jones-Pritchard, Michael (Cllr) <[Michael.JonesPritchard@cardiff.gov.uk](mailto:Michael.JonesPritchard@cardiff.gov.uk)>; Phillips, Michael (Cllr) <[Michael.J.Phillips@cardiff.gov.uk](mailto:Michael.J.Phillips@cardiff.gov.uk)>; Rees, Mia (Cllr) <[Mia.Rees@cardiff.gov.uk](mailto:Mia.Rees@cardiff.gov.uk)>; Berman, Rodney (Cllr) <[Rodney.Berman@cardiff.gov.uk](mailto:Rodney.Berman@cardiff.gov.uk)>; Boyle, Joe (Cllr) <[Joe.Boyle@cardiff.gov.uk](mailto:Joe.Boyle@cardiff.gov.uk)>; Ali, Asghar (Cllr) <[Asghar.Ali@cardiff.gov.uk](mailto:Asghar.Ali@cardiff.gov.uk)>  
**Subject:** RE: 4 day working collections update - Friday

Matthew,

I am yet again having to do a reply all to this message. The concerns are widespread in the ward of Cyncoed. You state that green bags which were not collected yesterday we collected today, well I know that is not true, as some resident bags are still out. With regards the black bins, having realised it wasn't collected yesterday I brought mine back in and I am sure many others did the same (fear of being fined for leaving it out beyond 4pm Friday).

Despite all effort the waste collection teams are still failing to meet basic level of service. Pandemic can not be used as an excuse (as Cllr Michael Michael, stated in response to my question in January council). What is going wrong? I think we all need a clear answer to be able to respond to our residents who have for a very long time put up with a shambolic service. Be honest and tell us why is

the department still failing to provide a basic level of service? Was changing to 4 day service wise in a city like Cardiff during pandemic? How much longer do we need to put up with this?

**Cllr (Dr) Bablin Molik**

**Liberal Democrats Councillor for Cyncoed & Lakeside**

07779975394

[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)



@BablinMolik

C

**From:** Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>

**Sent:** 06 March 2021 19:15

**To:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>; Kelloway, Kathryn (Cllr) <[Kathryn.Kelloway@cardiff.gov.uk](mailto:Kathryn.Kelloway@cardiff.gov.uk)>; Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>; Walker, David (Cllr) <[DWalker@cardiff.gov.uk](mailto:DWalker@cardiff.gov.uk)>; Jenkins, Shaun (Cllr) <[Shaun.Jenkins@cardiff.gov.uk](mailto:Shaun.Jenkins@cardiff.gov.uk)>; Lancaster, John (Cllr) <[John.Lancaster@cardiff.gov.uk](mailto:John.Lancaster@cardiff.gov.uk)>; Melbourne, Sian-Elin (Cllr) <[Sian-Elin.Melbourne@cardiff.gov.uk](mailto:Sian-Elin.Melbourne@cardiff.gov.uk)>; Parkhill, Thomas (Cllr) <[Tom.Parkhill@cardiff.gov.uk](mailto:Tom.Parkhill@cardiff.gov.uk)>; Robson, Adrian (Cllr) <[ARobson@cardiff.gov.uk](mailto:ARobson@cardiff.gov.uk)>; Cowan, Jayne (Cllr) <[JCowan@cardiff.gov.uk](mailto:JCowan@cardiff.gov.uk)>; Owen, Oliver (Cllr) <[Oliver.Owen@cardiff.gov.uk](mailto:Oliver.Owen@cardiff.gov.uk)>; Morgan, Linda (Cllr) <[Linda.Morgan@cardiff.gov.uk](mailto:Linda.Morgan@cardiff.gov.uk)>; Jones-Pritchard, Michael (Cllr) <[Michael.JonesPritchard@cardiff.gov.uk](mailto:Michael.JonesPritchard@cardiff.gov.uk)>; Phillips, Michael (Cllr) <[Michael.J.Phillips@cardiff.gov.uk](mailto:Michael.J.Phillips@cardiff.gov.uk)>; Rees, Mia (Cllr) <[Mia.Rees@cardiff.gov.uk](mailto:Mia.Rees@cardiff.gov.uk)>; Berman, Rodney (Cllr) <[Rodney.Berman@cardiff.gov.uk](mailto:Rodney.Berman@cardiff.gov.uk)>; Boyle, Joe (Cllr) <[Joe.Boyle@cardiff.gov.uk](mailto:Joe.Boyle@cardiff.gov.uk)>; Ali, Asghar (Cllr) <[Asghar.Ali@cardiff.gov.uk](mailto:Asghar.Ali@cardiff.gov.uk)>

**Subject:** RE: 4 day working collections update - Friday

Members,

Apologies, you will have just received an e-mail I sent this morning that unfortunately was stuck in my outbox.

The teams have worked hard today and cleared all recycling and a good amount residual (black waste). As stated in my e-mail food will be cleared Monday.

We have a team working tomorrow and they will continue to clear the residual (black waste).

I will keep you informed of where we are after the work undertaken tomorrow.

All waste will be cleared by Monday morning.

Thanks

Matt

## Matt Wakelam

Cyfarwyddwr Cynorthwyol Strydlun / Assistant Director Street Scene  
Cynllunio, Trafnidiaeth a'r Amgylchedd / Planning, Transport and Environment  
Cyngor Caerdydd / Cardiff Council

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Ystafell 305, Neuadd y Sir, Glanfa'r Iwerydd CAERDYDD CF10 4UW

Room 305, County Hall, Atlantic Wharf CARDIFF CF10 4UW



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**From:** Wakelam, Matthew

**Sent:** 05 March 2021 21:29

**To:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>; Kelloway, Kathryn (Cllr) <[Kathryn.Kelloway@cardiff.gov.uk](mailto:Kathryn.Kelloway@cardiff.gov.uk)>; Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>; Walker, David (Cllr) <[DWalker@cardiff.gov.uk](mailto:DWalker@cardiff.gov.uk)>; Jenkins, Shaun (Cllr) <[Shaun.Jenkins@cardiff.gov.uk](mailto:Shaun.Jenkins@cardiff.gov.uk)>; Lancaster, John (Cllr) <[John.Lancaster@cardiff.gov.uk](mailto:John.Lancaster@cardiff.gov.uk)>; Melbourne, Sian-Elin (Cllr) <[Sian-Elin.Melbourne@cardiff.gov.uk](mailto:Sian-Elin.Melbourne@cardiff.gov.uk)>; Parkhill, Thomas (Cllr) <[Tom.Parkhill@cardiff.gov.uk](mailto:Tom.Parkhill@cardiff.gov.uk)>; Robson, Adrian (Cllr) <[ARobson@cardiff.gov.uk](mailto:ARobson@cardiff.gov.uk)>; Cowan, Jayne (Cllr) <[JCowan@cardiff.gov.uk](mailto:JCowan@cardiff.gov.uk)>; Owen, Oliver (Cllr) <[Oliver.Owen@cardiff.gov.uk](mailto:Oliver.Owen@cardiff.gov.uk)>; Morgan, Linda (Cllr) <[Linda.Morgan@cardiff.gov.uk](mailto:Linda.Morgan@cardiff.gov.uk)>; Jones-Pritchard, Michael (Cllr) <[Michael.JonesPritchard@cardiff.gov.uk](mailto:Michael.JonesPritchard@cardiff.gov.uk)>; Phillips, Michael (Cllr)

<[Michael.J.Phillips@cardiff.gov.uk](mailto:Michael.J.Phillips@cardiff.gov.uk)>; Rees, Mia (Cllr) <[Mia.Rees@cardiff.gov.uk](mailto:Mia.Rees@cardiff.gov.uk)>; Berman, Rodney (Cllr) <[Rodney.Berman@cardiff.gov.uk](mailto:Rodney.Berman@cardiff.gov.uk)>; Boyle, Joe (Cllr) <[Joe.Boyle@cardiff.gov.uk](mailto:Joe.Boyle@cardiff.gov.uk)>; Ali, Asghar (Cllr) <[Asghar.Ali@cardiff.gov.uk](mailto:Asghar.Ali@cardiff.gov.uk)>

**Subject:** 4 day working collections update - Friday

Members,

I can confirm the 4 day working roll-out is going well and improvements have been made in relation to the weekly collections of food and recycling compared to last Friday. We have contingency working until 10pm tonight as well as tomorrow.

There will be a need to complete some collections tomorrow with our contingency. As the crews become more familiar with the rounds and working the longer hours we will see improvements in completing the work allocated. If we feel the workload is too much we will be adjusting rounds as we move forward. This is the first week they have undertaken these residual rounds.

Attached shows the limited outstanding streets. Please note the tabs for the waste stream.

- Residual (black bin) waste – Cyncoed, Lisvane, Llanishen, Rhiwbina, Whitchurch & Tongwynlais
- Recycling – Cyncoed, Llanishen, Rhiwbina, Whitchurch & Tongwynlais
- Food – Cyncoed, Llanishen, Penylan

The contingency tomorrow will concentrate on removing the food and recycling. They will drop onto the residual following clearing these streams.

I have shared the information to support any comments you receive. All waste should remain presented and the worst case scenario will be to clear the residual bins on Monday with our contingency.

I will keep you informed tomorrow so you are aware of the position.

Thank you for your ongoing support.

Matt

### **Matt Wakelam**

Cyfarwyddwr Cynorthwyol Strydlun / Assistant Director Street Scene  
Cynllunio, Trafnidiaeth a'r Amgylchedd / Planning, Transport and Environment  
Cyngor Caerdydd / Cardiff Council

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*The Council welcomes correspondence in English or Welsh and we will ensure that we communicate with you in the language of your choice, whether that's English, Welsh or in Bilingual format as long as we know which you prefer. Please contact 029 22 330106 / [mwakelam@caerdydd.gov.uk](mailto:mwakelam@caerdydd.gov.uk) to register your language choice. If we do not receive your language choice, we will continue to correspond with you in accordance with current procedure. Corresponding in Welsh will not lead to any delay.*

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Appendix H2 – Emails between Assistant Director, Waste Services and Cllr Molik  
(redacted to remove third party personal data)

Forwarded by Cllr Michael to Kumi Ariyadasa on 09 November 2021

---

**From:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>  
**Sent:** Saturday, March 20, 2021 10:18:45 PM  
**To:** Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>; Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>  
**Cc:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>  
**Subject:** RE: couple of issues

Matthew,

Please I am sure you are aware week after week we get contacted by numerous residents regarding waste collection failures. This was a program that officers in charge were planning for months, why has it gone so catastrophically wrong? Every week we hope the problems would be resolved but no 4 weeks on the issues still persist, why? could you provide some honest reasons why the issues are still not resolved?

Please see various messages we have received:

- 1) The problem of waste collection from Brynhill 1, St Edeyrns Rd CF23 6TB has still not been resolved.

This Friday our Brown bin and Green bags were collected but our mountain of Black bins and bags are still untouched. This has been going on for too long and is presenting a health hazard. A Supervisor visited last week and told a visitor to the Flats that the problem will be resolved. IT HAS NOT. Why tell a visitor and not ring one of the bells and talk to a Resident. This situation has become ridiculous and worst of all we cannot speak to anyone except machines. PLEASE HELP BEFORE SOMEONE GETS HURT OR WE GET INFESTED BY VERMIN.

- 2) Woolaston Avenue: Since February's changes our collection day has changed to Fridays and we have so far never managed to complete this collection on time. Every week there are delays where something is not collected in some cases until the following week, small bins do not allow for such discrepancies. Yesterdays fiasco was that black bins, green bags and brown bins were due to be collected. the brown bins were collected mid morning but that was all. Today (Saturday) we are scheduled for the green bags and black bins to be collected. At time of writing the green bags have been picked up but not the black bins, we wait with anticipation. When announcing these changes to collections the message was one to increase efficiency, how is it efficient to have people working on overtime and be continually playing catch up?
- 3) I reported this one to you last week and again they have not been collected this week: There's 3 black waste bins for 6 flats. This isn't the 1st time this has happened since the change. Post code is Cf23 6rq. our black waste bins and food waste have been missed again so means out waste has not been collected In 4 week
- 4) Clarendon retired home estate still not collected

- 5) Hampton crescent no black bin and no green waste collected yesterday. 🙄 for today
- 6) Cyncoed Road and Rhyd-y-Penau Road black bins not collected.

It seems to be the same roads are late in pick or missed. Could you please look into each and let me know what is happening and how I should response to each?

**Cllr (Dr) Bablin Molik**  
**Liberal Democrats Councillor for Cyncoed & Lakeside**

07779975394

[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)



@BablinMolik

---

**From:** Molik, Bablin (Cllr)  
**Sent:** 15 March 2021 13:40  
**To:** Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>; Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>  
**Subject:** RE: couple of issues

Matthew,

I know you are fed up but I have had few more complaints:

- 1) Beatty Avenue (which you are aware)
- 2) Clarendon, which I emailed you about already
- 3) Hampton Cres black bins still not collected
- 4) Clearwater Way black bins not done, last week bags collected late
- 5) Gwern Rhuddi road black bins not done still
- 6) Wern goch the flats have not had their bins cleared (like Clarendon).

The list is growing. I have told those regarding black bins that it is likely to be cleared this week. But, that would mean 2 weeks too late and if missed again then we could see large number of complaints again.

I hope this week goes well. But, I am not fully confident. I still think it was wrong to change plans during a pandemic and whilst we had issues already.

Thanks  
Bablin



**From:** Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>

**Sent:** 12 March 2021 11:29

**To:** Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>

**Cc:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>

**Subject:** couple of issues

Hello Matt. I've been contacted by a resident at the block of 10 flats at Brynhill, 1, St Edeyrns, Cyncoed, Cardiff CF23 6TB. The resident is complaining that since the change of collection arrangements there has been no collection of any waste from this location. As a result he is complaining of a mountain of green bags, black bags, and a brown bin full of food waste. He is concerned that this is now a health hazard and points out the residents are all in senior years and they have all faithfully deposited the waste ready for collection in the bin shed there over the last couple of weeks. He has reported the missed collections via C2C and despite a commitment to collect that hasn't happened.

I'd be grateful if you could resolve this.

Also the resident at Glan Y Llyn apartments on Lake Road East has reminded me again that the recycling and general waste bins at that location are yet to be collected and so hopefully that can be resolved today.

It does look as though with new teams operating in the ward that the collections at the flats that were routinely done by the previous teams are being missed in some cases at the moment.

Many thanks Robert

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Appendix H2 – Emails between Assistant Director, Waste Services and Cllr Molik  
(redacted to remove third party personal data)

**From:** Michael, Michael (Cllr) <Michael.Michael@cardiff.gov.uk>  
**Sent:** 09 November 2021 17:07  
**To:** Ariyadasa, Kumi <KAriyadasa@cardiff.gov.uk>  
**Subject:** Fwd: couple of issues

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**From:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>  
**Sent:** Tuesday, March 23, 2021 3:57:53 PM  
**To:** Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>; Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>  
**Cc:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>  
**Subject:** RE: couple of issues

Matt,

I think I spoke too soon.

The flats on Wern Goch Road have still not had their hygiene waste collected (it will be 5 weeks this week). The bins are to the back of flat building and so perhaps the new men doing these rounds are not aware where they are and so missing them.

Could you please look into this urgently? Because they are blocks of flats mainly occupied by elderly people some receiving care, as you will appreciate it is very important such levels of hygiene waste do not accumulate.

Thank you  
Bablin

---

**From:** Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>  
**Sent:** 22 March 2021 11:01  
**To:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>; Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>  
**Cc:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>  
**Subject:** RE: couple of issues

Bablin,

The cost are being managed within budget – the previous arrangement was inefficient and we are trying to get to an optimal position. I recognise we are having to follow up the collections but we need to the rounds balanced for the legacy of the service. We want to ensure all collections take place on the day of collection (even if

in the afternoon /evening) and this will be the aim for this week. We are managing pressures such as it being the end of the annual leave period so people are looking to take a break as some officers have worked solidly through since last April.

Thanks

Matt

## **Matt Wakelam**

Cyfarwyddwr Cynorthwyol Strydlun / Assistant Director Street Scene  
Cynllunio, Trafnidiaeth a'r Amgylchedd / Planning, Transport and Environment  
Cyngor Caerdydd / Cardiff Council

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*Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn sicrhau ein bod yn cyfathrebu â chi yn yr iaith o'ch dewis, boed yn Saesneg, yn Gymraeg neu'n ddwyieithog cyhyd â'n bod yn ymwybodol o'ch dewis. Cysylltwch â 029 22 330106 / [mwakelam@caerdydd.gov.uk](mailto:mwakelam@caerdydd.gov.uk) i nodi dewis iaith. Os na fyddwn yn derbyn eich dewis iaith, byddwn yn parhau i gyfathrebu â chi yn unol â'r weithdrefn bresennol. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.*

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**From:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>  
**Sent:** 22 March 2021 10:35  
**To:** Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>; Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>  
**Cc:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>  
**Subject:** RE: couple of issues

Thanks Matt.

I did notice as I walked around on Sunday to check the points and they were being cleared.

Will this week be ok? I did notice an email about extra resource to help catch up. These delayed catch up programs must be costing quite a bit too (Sunday pick-ups will be costing etc). Thanks for auctioning these promptly over the week-end.

Bablin

---

**From:** Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>  
**Sent:** 22 March 2021 07:04  
**To:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>; Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>  
**Cc:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>  
**Subject:** RE: couple of issues

Bablin,

All of the below was cleared. There was nothing out at Hampton Crescent and only a few aspects out on Cyncoed Road and Rhyd-y-Penau so assume this must be late presentation but was cleared.

Thanks

Matt

## **Matt Wakelam**

Cyfarwyddwr Cynorthwyol Strydlun / Assistant Director Street Scene  
Cynllunio, Trafnidiaeth a'r Amgylchedd / Planning, Transport and Environment  
Cyngor Caerdydd / Cardiff Council  
E-bost/Email: [mwakelam@caerdydd.gov.uk](mailto:mwakelam@caerdydd.gov.uk) / [mwakelam@cardiff.gov.uk](mailto:mwakelam@cardiff.gov.uk)  
Ffôn/Tel: 02922 330106  
Ystafell 305, Neuadd y Sir, Glanfa'r Iwerydd CAERDYDD CF10 4UW  
Room 305, County Hall, Atlantic Wharf CARDIFF CF10 4UW



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**From:** Wakelam, Matthew  
**Sent:** 21 March 2021 10:04  
**To:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>; Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>  
**Cc:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>  
**Subject:** FW: couple of issues

Bablin,

Please see below – the areas missed will be cleared. Please note some items were presented late but we will clear.

Thanks

Matt

**Matt Wakelam**

Cyfarwyddwr Cynorthwyol Strydlun / Assistant Director Street Scene

Cynllunio, Trafnidiaeth a'r Amgylchedd / Planning, Transport and Environment  
Cyngor Caerdydd / Cardiff Council  
E-bost/Email: [mwakelam@caerdydd.gov.uk](mailto:mwakelam@caerdydd.gov.uk) / [mwakelam@cardiff.gov.uk](mailto:mwakelam@cardiff.gov.uk)  
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**From:** [REDACTED]  
**Sent:** 21 March 2021 09:46  
**To:** Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>  
**Cc:** [REDACTED] <>; [REDACTED] <>  
**Subject:** RE: couple of issues

Hi Matt,

This morning going well.

Brynhill 1, St Edeyrns Rd CF23 6TB – I just made a site visit and this has clearly been missed, the road has been done but yet another communal missed – Crew 3 have roughly an hours work left, once complete I will get this cleared.

Woolaston Avenue – **This is work that has already been scheduled for collection today.**

Hampton crescent – **I will get crew 3 on his also.**

Cyncoed Road and Rhyd-y-Penau – **I drove Cyncoed road and what is out appears to be late? – I will ask Crew 3 to pass through and clear what's out on way to St Ederyns road.**

Carendon retirement home, Cyncoed Ave – **I will get crew 3 to clear today, on way to St Ederyns road.**

**Diolch,**

■■■■

T/Ffon: ■■■■

E/E Bost ■■■■



**From:** Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>

**Sent:** 21 March 2021 08:54

**To:** ■■■■ >

**Subject:** Fwd: couple of issues

■■■■,

Can you review below. How is it going today?

Thanks

Matt

Get [Outlook for iOS](#)

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**From:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>

**Sent:** Saturday, March 20, 2021 10:18:45 PM

**To:** Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>; Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>

**Cc:** Michael, Michael (Cllr) <[Michael.Michael@cardiff.gov.uk](mailto:Michael.Michael@cardiff.gov.uk)>

**Subject:** RE: couple of issues

Matthew,



Please I am sure you are aware week after week we get contacted by numerous residents regarding waste collection failures. This was a program that officers in charge were planning for months, why has it gone so catastrophically wrong? Every week we hope the problems would be resolved but no 4 weeks on the issues still persist, why? could you provide some honest reasons why the issues are still not resolved?

Please see various messages we have received:

- 1) The problem of waste collection from Brynhill 1, St Edeyrns Rd CF23 6TB has still not been resolved.

This Friday our Brown bin and Green bags were collected but our mountain of Black bins and bags are still untouched. This has been going on for too long and is presenting a health hazard. A Supervisor visited last week and told a visitor to the Flats that the problem will be resolved. IT HAS NOT. Why tell a visitor and not ring one of the bells and talk to a Resident. This situation has become ridiculous and worst of all we cannot speak to anyone except machines. PLEASE HELP BEFORE SOMEONE GETS HURT OR WE GET INFESTED BY VERMIN.

- 2) Woolaston Avenue: Since February's changes our collection day has changed to Fridays and we have so far never managed to complete this collection on time. Every week there are delays where something is not collected in some cases until the following week, small bins do not allow for such discrepancies. Yesterdays fiasco was that black bins, green bags and brown bins were due to be collected. the brown bins were collected mid morning but that was all. Today (Saturday) we are scheduled for the green bags and black bins to be collected. At time of writing the green bags have been picked up but not the black bins, we wait with anticipation. When announcing these changes to collections the message was one to increase efficiency, how is it efficient to have people working on overtime and be continually playing catch up?
- 3) I reported this one to you last week and again they have not been collected this week: There's 3 black waste bins for 6 flats. This isn't the 1st time this has happened since the change. Post code is Cf23 6rq. our black waste bins and food waste have been missed again so means out waste has not been collected In 4 week
- 4) Clarendon retired home estate still not collected
- 5) Hampton crescent no black bin and no green waste collected yesterday. 🙄 for today
- 6) Cyncoed Road and Rhyd-y-Penau Road black bins not collected.

It seems to be the same roads are late in pick or missed. Could you please look into each and let me know what is happening and how I should response to each?

**Cllr (Dr) Bablin Molik**

**Liberal Democrats Councillor for Cyncoed & Lakeside**

07779975394

[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)



@BablinMolik

**From:** Molik, Bablin (Cllr)  
**Sent:** 15 March 2021 13:40  
**To:** Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>; Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>  
**Subject:** RE: couple of issues

Matthew,

I know you are fed up but I have had few more complaints:

- 1) Beatty Avenue (which you are aware)
- 2) Clarendon, which I emailed you about already
- 3) Hampton Cres black bins still not collected
- 4) Clearwater Way black bins not done, last week bags collected late
- 5) Gwern Rhuddi road black bins not done still
- 6) Wern goch the flats have not had their bins cleared (like Clarendon).

The list is growing. I have told those regarding black bins that it is likely to be cleared this week. But, that would mean 2 weeks too late and if missed again then we could see large number of complaints again.

I hope this week goes well. But, I am not fully confident. I still think it was wrong to change plans during a pandemic and whilst we had issues already.

Thanks  
Bablin

**From:** Hopkins, Robert (Cllr) <[Robert.Hopkins2@cardiff.gov.uk](mailto:Robert.Hopkins2@cardiff.gov.uk)>  
**Sent:** 12 March 2021 11:29  
**To:** Wakelam, Matthew <[MWakelam@cardiff.gov.uk](mailto:MWakelam@cardiff.gov.uk)>  
**Cc:** Molik, Bablin (Cllr) <[Bablin.Molik@cardiff.gov.uk](mailto:Bablin.Molik@cardiff.gov.uk)>  
**Subject:** couple of issues

Hello Matt. I've been contacted by a resident at the block of 10 flats at Brynhill, 1, St Edeyrns, Cyncoed, Cardiff CF23 6TB. The resident is complaining that since the change of collection arrangements there has been no collection of any waste from this location. As a result he is complaining of a mountain of green bags, black bags, and a brown bin full of food waste. He is concerned that this is now a health hazard and points out the residents are all in senior years and they have all faithfully deposited the waste ready for collection in the bin shed there over the last couple of weeks. He has reported the missed collections via C2C and despite a commitment to collect that hasn't happened.

I'd be grateful if you could resolve this.

Also the resident at Glan Y Llyn apartments on Lake Road East has reminded me again that the recycling and general waste bins at that location are yet to be collected and so hopefully that can be resolved today.

It does look as though with new teams operating in the ward that the collections at the flats that were routinely done by the previous teams are being missed in some cases at the moment.

Many thanks Robert