

**The Welsh Government
Minutes of a meeting of the Cabinet
27th May 2020**

Present: Rt. Hon. Mark Drakeford MS (Chair)
Vaughan Gething MS
Kirsty Williams MS

Via video link: Rebecca Evans MS
Lesley Griffiths MS
Julie James MS
Eluned Morgan MS
Ken Skates MS
Jeremy Miles MS
Jane Hutt MS
Hannah Blythyn MS
Julie Morgan MS
Lee Waters MS
Dafydd Elis Thomas MS

Shan Morgan, Permanent Secretary
Des Clifford, Director General Office of the First Minister
Carys Evans, Principal Private Secretary First Minister
Will Whiteley, Head of Cabinet Division
Toby Mason, Head of Strategic Communications (via video link)
Jane Runeckles, Special Adviser (via video link)
Madeleine Brindley, Special Adviser (via video link)
Alex Bevan, Special Adviser (via video link)
Dan Butler, Special Adviser (via video link)
Ian Butler, Special Adviser (via video link)
Kate Edmunds, Special Adviser (via video link)
Paul Griffiths, Special Adviser (via video link)
Clare Jenkins, Special Adviser (via video link)
NR Special Adviser (via video link)
NR Specialist Adviser for Education Reform (via video link)
Gareth Williams, Special Adviser (via video link)
NR Special Adviser (via video link)
Tom Woodward, Special Adviser (via video link)
Christopher W Morgan, Cabinet Secretariat (minutes)
NR Cabinet Secretariat
NR Specialist Policy Adviser (via video link)
Frank Atherton, CMO
Reg Kilpatrick, Director Local Government
Debra Carter, Deputy Director Local Government Strategic Finance (via video link)
Zowie Hay, COVID-19 team
Jo Trott, Head of COVID-19 project team
Jonathan Price Chief Economist (via video link)

Item 1: Three week review of Health Protection (Coronavirus Restrictions) Regulations

- 1.1 The First Minister informed Cabinet that the focus of the meeting would be the latest 21 day review of the Health Protection (Coronavirus Restrictions) Regulations and other lockdown measures. The draft MA and associated documents had been circulated to help inform the discussion.
- 1.2 In accordance with the Regulations the imposition or continuation of a requirement or restriction had to satisfy three conditions. The Regulations must be for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence, spread of infection or contamination. There must be a threat to public health and the restrictions had to be proportionate in what they were intending to achieve.
- 1.3 There was a need to consider, from the information available, whether there was any headroom to relax any restrictions of the lockdown. The data revealed that in week commencing 27th April there had been 201 deaths and 896 new cases of the virus in Wales. There were 99 patients in critical care hospital beds and 94 people in care homes had died from COVID-19 related symptoms.
- 1.4 By contrast, in week commencing 18th May there had been 67 deaths and 719 new cases of the virus in Wales. There were 58 patients in critical care hospital beds and 50 people in care homes had died from COVID-19 related symptoms.
- 1.5 Advice from SAGE and the TAC estimated that the rate of transmission in Wales was around 0.87. This had not substantially changed since the last review but there had been decreases in admissions, which suggested that the rate was falling. This meant that substantive easements could not be considered until suitable measures, such as test, trace and protect were in place.
- 1.6 Compliance and support for lockdown measures remained relatively high, albeit there had been some increased movement of people, which could be consistent with increased economic activity rather than reduced compliance. Introducing some easement, where the risks were low, could help ensure continued compliance, particularly if those were in areas that mattered to people.
- 1.7 Capacity in the NHS and the availability of PPE continued to improve and did not, at present, represent a major constraint on some form of limited easement.
- 1.8 The purposes of the restrictions for public health and containing the virus, therefore, suggested only minor amendments should be considered during this review period, in particular thought should be given to whether existing restrictions

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were considered to be disproportionate. Scientific consensus was that the risk of transmission was much lower outside thereby opening up the possibility of activity outdoors, subject to continued distancing. Not to do so, might be considered a disproportionate response.

- 1.9 It was proposed that the Regulations should be amended to change the 'stay at home' provisions to 'stay local' to allow for outdoor activity within an area local to where the person lives. In addition to enabling people to sit in a park, it would also address a number of queries around other recreation, such as exercise and more sedentary pastimes, as all outdoor activity would be allowed, providing social distancing rules were maintained.
- 1.10 Given the significance of the proposed change there would be a need for clear public messaging and guidance on what was meant by local, while reinforcing the need for the two metre physical distancing rule to be maintained. A distance of five miles was proposed for the guidance, but with a recognition that this would vary in more rural areas, where people were already travelling greater distances for provisions.
- 1.11 Cabinet welcomed the proposal to allow all outdoor activity within a certain area, and noted that setting a five mile rule, would provide a sense of what was reasonable, given that allowing people to travel greater distances would increase the risk of spreading the virus to other communities.
- 1.12 Cabinet concluded that all outdoor activity should be allowed. There would be a need to develop clear guidance and messaging on how this should be applied, while highlighting that the social distancing and other public safety measures remained in place.
- 1.13 The second proposal related to changing the Regulations to allow two households to meet outside, again within the five mile limit, subject to physical distancing being maintained. The two households would not need to be the same each time, which would allow for a mix of family and friends to meet at different times in public spaces.
- 1.14 Related to this proposal was the option to allow people to meet in private public spaces, such as gardens, balconies and walkways, again with the requirement to physically distance. There was an increased risk, which would need to be mitigated through clear guidance and messaging to ensure that any time passing through indoor areas was kept to a minimum. Touching surfaces, using toilets and the sharing of materials, such as plates and cups, would not be allowed, given that the virus could remain on an indoor surface for up to seven and a half hours, whereas outdoors, the virus was not likely to survive beyond one and a half minutes.
- 1.15 Cabinet agreed with these proposed changes and indicated that there was a need to ensure that the guidance clearly set out the additional risks of travelling through someone's home.

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- 1.16 The MA also considered the evidence for easements linked to education and care for children. A critical factor for re-opening would be having an effective test, trace and protect system in place, which could be possible by the next review period. It was recommended that further advice should be provided following that review to signal the need for preparation for the first phase of restarting schools, FE and childcare from no earlier than 22nd June, providing conditions were safe.
- 1.17 There was a specific issue of FE learners needing to complete practical assessments on site. Whilst that was already permissible under the Regulations, Institutions would be supported to enable those learners that needed to complete practical components of study, to do so safely.
- 1.18 In terms of the economy, it was recommended that existing restrictions on businesses were maintained given the limited scope to make changes during the current review period. There was still scope to encourage more businesses to safely return to activity and this process should continue to be supported.
- 1.19 It was suggested that the Government could signal that a wider opening of outdoor businesses, such as markets and showrooms, was likely to take place in the next review and protocols should be put in place. Non-essential retail and the reopening of the housing market would also be considered at the next review and businesses should start to prepare for this, should it be decided that conditions were considered safe.
- 1.20 Cabinet welcomed the proposals and agreed that there would be a need for careful messaging.
- 1.21 Ministers agreed that the plans to gradually open up healthcare as part of the approach to using public services should continue. In addition, the Regulations should be changed to allow weddings to take place, where the bride or groom was terminally ill and to relax the prohibition on gatherings to allow the attendance of guests.
- 1.22 Once the formal decision had been taken, the First Minister would announce the outcome of the review on Friday, with any changes coming into effect the following Monday.