

**The Welsh Government
Minutes of meetings of the Cabinet
20 & 21 December 2021**

Present: Rt. Hon. Mark Drakeford MS (Chair)
Rebecca Evans MS
Vaughan Gething MS (Chair 21 December - paragraphs 3:13 & 3:14)
Lesley Griffiths MS
Jane Hutt MS
Julie James MS
Jeremy Miles MS (apologies 20 December)
Eluned Morgan MS
Mick Antoniw MS

Hannah Blythyn MS
Dawn Bowden MS
Julie Morgan MS
Lynne Neagle MS
Lee Waters MS (apologies 21 December)

Officials: Andrew Goodall, Permanent Secretary
Des Clifford, Director General Office of the First Minister
Will Whiteley, Deputy Director Cabinet Division
Toby Mason, Strategic Communications
Jane Runeckles, Special Adviser
Madeleine Brindley, Special Adviser
Alex Bevan, Special Adviser
[NR] Special Adviser
Ian Butler, Special Adviser
Kate Edmunds, Special Adviser
[NR] Special Adviser
Clare Jenkins, Special Adviser
[NR] Special Adviser
[NR], Special Adviser
Tom Woodward, Special Adviser
Christopher W Morgan, Cabinet Secretariat (minutes)
[NR], Cabinet Secretariat
Tracey Burke, Director General, Education and Public Services
Reg Kilpatrick, Director General, COVID-19 Crisis Coordination
Judith Paget, Director General Health
Andrew Slade, Director General, Economy, Skills and Natural Resources
Helen Lentle, Director Legal Services
Frank Atherton, CMO
Fliss Bennee, Co-Chair of TAC.
Dylan Hughes, First Legislative Counsel
Andrew Sallows, Delivery Programme Director NHS
Liz Lalley, Director Recovery
Tom Smithson, Deputy Director COVID-19 Restart
Andrew Jeffreys, Director Treasury
Neil Buffin Senior Lawyer

Terry Kowal, Senior Legislative Counsel
Jason Thomas, Director Culture Sport and Tourism
Rob Holt, Deputy Director Events Wales (20 December)
Sioned Evans, Director Business and Regions (21 December)
Duncan Hamer, Chief Operating Office Business and Regions (21 December)
Steffan Roberts, Deputy Director Tourism Development and Sport (21 December)

20th December

Item 1: Minutes of previous meetings

- 1.1 Cymeradwydd y Cabinet gofnodion y 13 a 16 Rhagfyr / Cabinet approved the minutes of 13 and 16 December.

Item 2: Review of Coronavirus Restrictions (No. 5) Regulations – 21 December 2021

- 2.1 The First Minister introduced the briefing paper, which outlined options relating to the approach to major events with the aim of combating the spread of the new variant, Omicron.
- 2.2 Cabinet was reminded the restrictions relating to COVID-19 within the Coronavirus Control Plan were 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.
- 2.3 The First Minister reported there had been a COBR meeting the previous day, the outcome of which had been inconclusive. There had been an offer of further resources for the Devolved Governments.
- 2.4 It was noted the UK Cabinet was meeting again that afternoon to discuss its response to Omicron, as cases were rising fast in some areas, particularly in London, Manchester and Bristol, which was having an impact on hospital admissions. It would only be a matter of time before there was a significant rise in cases in Wales.
- 2.5 Given the increased transmissibility of Omicron and potential for vaccine escape, there could be a greater risk of super-spreader events. It was not just the events themselves, but the associated mixing before, during and afterwards which posed the greatest risks.
- 2.6 There was a wide ranging discussion. Ministers concluded, given the expected increase in cases of Omicron and the impact this would have on the NHS along with the delivery of public services, including public transport, through staff absences, there was a need to introduce measures that would slow down transmission rates. Therefore, it was agreed all indoor and outdoor events should be closed to spectators from Boxing Day. There would be a need to consider the implications for other indoor venues, such as cinemas, theatres and concert halls.

- 2.7 It was agreed officials should proceed with the decisions taken by Ministers.

21 December

- 3.1 The First Minister referred to the changing context since Cabinet last met, with the Scottish Government introducing similar measures to Wales for outdoor events and the UK Government announcing a £1bn support package for businesses in England hit by new COVID-19 cases. Wales had already been offered additional support from the UK Treasury on Sunday, which would allow Welsh Ministers to introduce a more generous support package.
- 3.2 The First Minister introduced the paper, which set out a number of issues listed under Alert Level 2 that would need to be resolved.
- 3.3 In relation to reasonable measures, Cabinet agreed to reinstate the requirement for 2m physical distancing as a specific step in the regulations that must be taken before other measures. However, it would be important to make clear other mitigations were possible should businesses be unable to introduce physical distancing. Given specific implications for public transport, it was agreed the sector should be removed from those premises covered by obligations in the regulations that applied to 'regulated premises'.
- 3.4 It was also agreed that specific measures should be applicable to licensed and 'bring your own alcohol' premises. Besides controlling entry, the reintroduction of table service and the collection of contact details, customers would be required to wear face coverings when moving around.
- 3.5 Furthermore, the current range of illustrative reasonable measures in regulations should be retained, while emphasising in guidance and stakeholder communications additional protections were required to be in place by 27 December. There would also be sector specific requirements.
- 3.6 In terms of gatherings in private dwellings, Ministers agreed a more flexible approach should be adopted, with a focus on minimising contacts and taking a LFT before visiting. However, there should be specific illustrative guidance to help people remain safe in their own homes.
- 3.7 Cabinet considered the requirements for gatherings in public spaces indoors and agreed the rule of six under the original Alert Level 2 should be reinstated in the regulations.
- 3.8 It was confirmed that the rules for gatherings outdoors should reflect the requirements for private dwellings and restrictions on holiday accommodation should follow the previous regulations.
- 3.9 Cabinet also agreed the Alert Level 2 provisions for events in public places, of up to 50 attendees outdoors and 30 indoors, should be reinstated. The previous

exemptions would still apply, so would the provisions that alcohol should not be consumed or sold at such regulated events. The same limits should be included as an offence in private dwellings, which would allow the relevant Authorities to stop house parties with attendance above the agreed limits.

- 3.10 Limits would be removed for those attending weddings and wakes, but numbers would be determined by the ability of the venue to comply with social distancing and other reasonable measures including all guests taking a LFT before attending. Adult entertainment venues and ice skating rinks should remain open to the public with additional mitigations in place.
- 3.11 Ministers agreed the rule of six should be applied to cinemas, theatres and concert halls to allow groups of people to sit together and specific risk assessments should be undertaken for performances in hospitality sessions.
- 3.12 In terms of financial support, £120m would now be available for nightclubs, events, retail, hospitality, leisure and tourism businesses affected by the move to Alert Level 2 and there would be additional funds to support sports venues, arts and cultural organisations affected by the pandemic.
- 3.13 The First Minister left the meeting to brief the leader of Plaid Cymru on the decisions taken by Cabinet. In his absence, Ministers agreed there should be no extension to the use of the covid-pass at this stage and further thought should be given to its expansion when restrictions were lifted.
- 3.14 Ministers noted that seasonal outdoor activities, such as 'Winter Wonderland', were classed as events under the law. Organisers would have to follow the relevant specific rules if they tried to repurpose them as hospitality settings.
- 3.15 The First Minister returned to the meeting.
- 3.16 The First Minister informed Cabinet he would take a decision on when the revised regulations would come into force in advance of the Plenary session, which had been scheduled for 1:30pm the following day.
- 3.17 It was agreed that officials should proceed with the decisions taken by Ministers.