

OFFICIAL – SENSITIVE - CABINET

Cabinet will wish to note that these minutes, except those items in italics, will be published in week commencing 15th June 2020

The Welsh Government
Minutes of a meeting of the Cabinet
7th May 2020

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

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

Shan Morgan, Permanent Secretary (via video link)
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
Jane Runeckles, Special Adviser (via video link)
Dan Butler, Special Adviser (via video link)
Ian Butler, Special Adviser (via video link)
Paul Griffiths, Special Adviser (via video link)
Clare Jenkins, Special Adviser

NR

Special Adviser (via video link)

Gareth Williams, 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
Rob Orford, Chief Scientific Adviser for Health
Debra Carter, Deputy Director Local Government Strategic Finance
Fliss Bennee, Co Chair, Technical Advisory Cell Covid-19 ECCW
Zowie Hay, COVID-19 team
Jo Trott, Head of COVID-19 project team

Item 1: Three week review of Health Protection (Coronavirus Restrictions) Regulations CAB(19-20)56

- 1.1 *The First Minister informed Cabinet that a significant amount of material had been circulated to support Cabinet's consideration of a few but complex decisions in relation to the 21 day review of the Health Protection (Coronavirus Restrictions) Regulations and other lockdown measures. The Chief Medical Officer had also circulated his advice relating to the proposals in the paper.*
- 1.2 *The Deputy Director of Local Government Strategic Finance advised Cabinet that the paper had considered a summary of the review findings and outlined the risks and advantages of maintaining a four nations approach. The focus of the three week review was to consider the entire suite of measures, requirements and restrictions, along with their interactions, as a package within the overall health objectives.*
- 1.3 *As part of an internal review, three priority areas had been identified for early consideration as part of lifting the lockdown restrictions. These were: the opening up of public spaces; increasing economic activity and increasing essential health care services.*
- 1.4 *Earlier that week SAGE had considered a series of phased steps to ease some of the restrictions, which covered work, schools, outdoor work places, exercise and leisure.*
- 1.5 *The First Minister highlighted the importance of considering the recommendations in the paper through the lens of the impact on public health and invited the CMO and the Chief Scientific Adviser for Health to provide their professional advice.*
- 1.6 *The current evidence on the effect of ongoing restrictions and requirements was that the key indicators, which related to direct harm from the virus were either stable or stabilising. Too early or extensive easement of restrictions could lead to a return of exponential growth of viral transmission, and there would be a need to closely monitor the experiences of other nations.*
- 1.7 *There were concerns about the indirect harms that arose from lockdown measures, and the potential for disproportionate harms to both socio-economically disadvantaged and younger people.*
- 1.8 *There had been a reduction in compliance with the restrictions with some behavioural psychologists suggesting that offering easement of certain restrictions may lead to improved compliance with others. However, any changes to the restrictions should be complemented by continued strong messaging around personal hygiene, social distancing and expected behaviour.*
- 1.9 *The CMO did not recommend the use of face coverings and it would be a policy choice.*

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- 1.10 *The Chief Scientific Adviser for Health informed Cabinet that the average rate of transmission (R) was below one and when the rates with the health and care settings were taken into account the 'R' rate was considerably lower in communities. The proposed changes were unlikely to lead to significant increase in the R number should people continue to comply with the social distancing rules.*
- 1.11 *The Counsel General and Minister for European Transition outlined the decisions that Cabinet was being asked to consider.*
- 1.12 *In line with Cabinet priorities, and with consideration of the assessment from SAGE on where activity could resume without materially affecting the rates of transmission and public health objectives, along with the wider consideration of economic, social and wellbeing objectives, four proposals were recommended.*
- 1.13 *To improve the health and wellbeing of individuals, greater use of outside spaces for the purposes of exercise, health and wellbeing should be allowed. There should be increased economic activity in areas already allowed to open, but not choosing to do so, and some closed outdoor economic activity should resume, such as outdoor markets and garden centres.*
- 1.14 *Some limited public services, starting with libraries and household waste and recycling centres, could be allowed and there should be a continued and gradual increase of essential non-COVID activity in the healthcare system.*
- 1.15 *There had not been the opportunity to undertake a full equality impact assessment on the proposals, but this would need to be considered in the future.*
- 1.16 *Cabinet agreed that, given the concern that people were not currently accessing health services, the continued and gradual increase of essential non-COVID activity in the healthcare system should carry on.*
- 1.17 *In terms of the other recommendations within the paper, Ministers concurred that recent reports in the London based media had not helped matters by suggesting that the UK Government was planning to lift restrictions that weekend and therefore, the messaging around decisions by the Welsh Government would need to be clear. In taking such decisions, there would be a need to be mindful of the impact on the rate of transmission.*
- 1.18 *There was a concern that the resumption of some limited public services, such as libraries and household waste and recycling centres, would require a great deal of preparatory work to ensure that places were safe for the public. It was agreed that regulations should be amended but there would be a need to work with stakeholders to develop a reopening strategy to ensure that Local Authorities could put sufficient measures in place to enforce social distancing and maintain the safety of its workforce.*
- 1.19 *Further thought was required on the impact on public transport and there was a need to ensure that there was sufficient PPE for the workforce.*

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- 1.20 *Cabinet agreed that schools should not be reopen on 1st June, but given that there had been a commitment to provide three weeks' notice to any change in policy, the Minister should make the announcement later that day. However, it was important to make clear that schools remained open for those with ALN and the children of key workers.*
- 1.21 *It was noted that Faith Leaders had decided that places of worship should remain closed.*
- 1.22 *Ministers agreed that those businesses that had closed through choice, rather than any for any legal reasons, should be encouraged to reopen where it was safe and some economic activity should be allowed to resume with appropriate social distancing measures in place. Specifically, garden centres could re-open but there were concerns about allowing outdoor markets to recommence, because of the greater difficulty in securing and enforcing social distancing in such settings.*
- 1.23 *Cabinet discussed whether any additional activity in outdoor settings should be allowed and acknowledged that to do so would have health and wellbeing benefits and could reduce indirect harm associated with lockdown. However, there was a concern that if there was any relaxation in the regulations the rate of infection could increase and any material rise in the reproduction rate above one could have a significant impact on the population and the NHS's ability to manage cases.*
- 1.24 *Ministers discussed whether people should be allowed to exercise more than once a day and include other leisure activities. Thought should be given to including in the Regulations a safe distance for people to travel from their home. However, there would be a need for further advice on whether it was possible to set a distance in the regulations and, if so, how enforceable would it be. It was also important to have the latest data on the rate of infection in Wales.*
- 1.25 *It was agreed that Cabinet would reconvene later that day once officials had considered the comments of Ministers and prepared further advice. It was noted that the communications issues would be firmed up once Ministers had agreed the way forward.*

Cabinet reconvened

- 1.26 *Cabinet reconvened at 6pm and agreed that the Regulations would be amended to remove the requirement that exercise should only take place 'once a day'. The word 'local' would be included with reference to exercise, but the term 'leisure' would not be explicitly used in the Regulations but a suitable definition would be considered further in the guidance, limited to being incidental to taking exercise.*
- 1.27 *Ministers discussed whether a distance from the home should be set out in the regulations for exercise, but agreed this would not be practicable. Guidance would be provided instead.*

- 1.28 *Cabinet confirmed that Local Authorities could consider reopening libraries and household waste recycling centres. Garden centres would be permitted to open from Monday with appropriate social distancing in place. Outdoor markets would be considered further.*
- 1.29 *New evidence from SAGE showed that the rate of infection in Wales had dropped to between 0.6 – 0.8, and 0.75 in the community, which provided sufficient headroom for Cabinet to agree this modest package of adjustments to the Regulations.*
- 1.30 *Evidence also suggested that COVID-19 did not survive well in direct sunlight, which suggested the outdoors was safer and gave weight to the argument for exercise being allowed more than once per day. The Health and Safety Executive had set out effectiveness of measures in mitigating the spread of the virus, with the use of PPE in public the least effective barrier compared with other engineering and administrative measures such as social distancing, thorough cleaning and hand washing protocols, which had far higher success in eliminating the virus.*
- 1.31 *Key indicators would be monitored daily, allowing Ministers to intervene. A number of ‘circuit breakers’ would be established that would be deployed to re-impose Regulations. These would allow Local Authorities to identify outbreaks in certain areas and cease or restrict certain activities should the incidence of infection begin to rise or cluster in certain areas.*
- 1.32 *Ministers also considered the advice from SAGE that there was a likelihood of disorder if adjustments to the current regulations were not made. It was also noted that the Government had always been cognisant of the 4 harms, which were set out in the framework for exiting the lockdown. It was recognised that it was important to bear down on the spread of the virus itself, but strike the difficult balance to keep the rate of infection below one, while creating capacity to deal with the other harms.*
- 1.33 *Cabinet, after considering the evidence from SAGE, the headroom available in the rate of infection and the consequences of adjusting the Regulations in the modest way suggested, reached its conclusion based on all available evidence. Cabinet was reassured that should the transmission or infection rates begin to increase then appropriate steps to reintroduce certain measures could be taken.*
- 1.34 *It was confirmed the shielding group should continue to protect themselves by staying home.*

- 1.35 *It was noted that information sharing from SAGE had improved after the FM had raised the issue with the Chancellor of the Duchy of Lancaster and it was suggested that a summary of the SAGE advice could be circulated to Ministers on a regular basis.*
- 1.36 *Cabinet agreed that officials should proceed in line with the comments made by Ministers and share a summary of the daily SAGE advice, as soon as it was available.*

Officials to take into account comments made by Ministers and share a summary of the daily SAGE advice

Item 2: Communications CAB(19-20)60

- 2.3 *Ministers noted that the messaging would be amended to include ‘stay safe, stay local’ alongside the current ‘stay home’ headline in Wales.*
- 2.4 *The First Minister would make this announcement with a Written Statement and at the press conference the following day. He would use the modelling tables illustrating the difference between R0.8 and R1.1, to demonstrate the fine margins with the number of infections and deaths.*
- 2.5 *The question of cross-border communications was raised and it was agreed that a note would be circulated to Ministers, as well as a one-pager on the key messages on the outcome of the review.*
- 2.6 *The First Minister informed Cabinet of his telephone conversation with the Prime Minister and other Devolved Administrations about the roadmap the UK Government would be announcing on Sunday evening. It was reiterated that a 4 Nation approach was the preferred way forward, but only when all Administrations were fully sighted on the plans and the evidence that supported the course of action.*

Officials to share a one page note with Ministers containing the key messages that had been shared with the media on a cross-border basis.

Sections 28, 35 & 36

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Action points and outcomes from a meeting of Cabinet on
7th May 2020

OFFICIAL SENSITIVE – Cabinet, Policy and Commercial in Confidence

<i>Item</i>	<i>Action / Outcome</i>	<i>Outcome/ Deadline</i>	<i>Officials</i>
<i>Item 1: Three week review of Health Protection (Coronavirus Restrictions) Regulations CAB(19-20)56</i>	<i>Officials to take into account comments made by Ministers and share a summary of the daily SAGE advice</i>	<i>Asap</i>	<i>Rob Orford / Fliss Bennee</i>
<i>Item 2: Communications CAB(19-20)60</i>	<i>Officials to share a one page note with Ministers containing the key messages that had been shared with the media on a cross-border basis, and a one-page document on key messages.</i>	<i>Asap</i>	<i>Toby Mason</i>