

OFFICIAL – SENSITIVE - CABINET

Cabinet will wish to note that these minutes, except those items in italics, will be published in week commencing 21st February 2022

**The Welsh Government
Minutes of meetings of the Cabinet
13th January 2022**

- Present: Rt. Hon. Mark Drakeford MS (Chair)
Rebecca Evans MS
Lesley Griffiths MS
Jane Hutt MS
Julie James MS
Eluned Morgan MS
Mick Antoniw MS
- Hannah Blythyn MS
Dawn Bowden MS
Lee Waters MS
- Apologies: Vaughan Gething MS
Jeremy Miles MS
Julie Morgan MS
Lynne Neagle MS
- 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
Sara Faye, Special Adviser
Clare Jenkins, Special Adviser
NR Special Adviser
NR Special Adviser
Tom Woodward, Special Adviser
Christopher W Morgan, Cabinet Secretariat (minutes)
Name Redacted 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
Rob Orford, Chief Scientific Adviser – Health
NR First Legislative Counsel
Andrew Sallows, Delivery Programme Director NHS
Liz Lalley, Director Recovery

Tom Smithson, Deputy Director COVID-19 Restart

Christopher Warner, Deputy Director COVID-19

Neil Buffin Senior Lawyer

Terry Kowal, Senior Legislative Counsel

Jason Thomas, Director Culture Sport and Tourism

Name Redacted Head of Behavioural Science (Health COVID-19)

Item 1: Review of Coronavirus Restrictions (No. 5) Regulations – 13th January 2022

- 1.1 The First Minister introduced the paper, which identified some of the areas the next formal review of the Coronavirus Restrictions (No. 5) Regulations might cover. Ministers were also asked to provide a steer on whether any immediate changes to the Regulations should be made.
- 1.2 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.
- 1.3 The First Minister invited the Chief Medical Officer to provide an overview of the current public health position.
- 1.4 The situation had changed rapidly over the past 48 hours with a reduction in the number of cases being reported. This might be explained by changes to the testing regime and people's behaviour over the Christmas period. However, given the steep decline there was optimism that the current trajectory was now in decline.
- 1.5 Hospital admissions due to COVID-19 were reducing, with 58% of infections now being identified as a coincidental illness, and the number of people in ICU was also falling. Furthermore, the rate of harm caused by Omicron appeared to be less serious for those that had been vaccinated.
- 1.6 In addition, a summary of wastewater analysis suggested that infection rates were plateauing. Data from the COVID-19 survey, published by the Office of National Statistics, indicated that cases had continued to increase in the most recent week, but at a much slower rate, with an estimated 5.56% being infected. This equated to around one in twenty of the population. The rate of infection across the rest of the UK was also steady.

- 1.7 The paper summarised the expectation that the peak of the Omicron wave, in terms of cases, had either already been, or would very soon be, reached. This view was supported by new evidence from TAC, implying an even lower risk of outdoor transmission than previously understood. Taken together, this suggested there may be headroom to begin, or at least to signal the intention, to relax protections and move back to Alert Level Zero baseline measures.
- 1.8 Therefore, a staggered approach to lifting the protections was proposed, with the caveat that the public health situation must be favourable at the time.
- 1.9 From Friday 21 January the limit on numbers of people that meet outdoors and the respective social distancing requirements could be removed. Hospitality outdoors would also be able to operate without the additional reasonable measures but these would remain indoors. In addition, hospitality at events would permit food and drink to be taken outdoors.
- 1.10 On Friday 28 January, there would be a return to Alert Level Zero baseline measures, which included the removal of the legal requirements on both individuals and employers to work from home, being replaced by guidance recommending this protection should continue. The additional reasonable measures, including the 2m requirement, table service and the collecting of contact details in licensed premises, would be removed. Nightclubs could reopen but the use of the COVID pass for entry into nightclubs, events, cinemas and theatres would remain.
- 1.11 The three week review of the Regulations would return from 10 February.
- 1.12 Cabinet considered whether it was too early to lift protections and agreed, given the need to balance all the harms and for restrictions to be proportionate, the move to lifting protections in line with the proposals in paragraphs 38 and 39 of the paper, subject to the conditions being favourable at the weekly reviews. It would be important for the public to understand the compromises being made and the continued impact of the virus on public services.
- 1.13 It was noted the protections governing the Education Sector would be subject to separate guidance. Maintaining face to face learning wherever possible was vital.
- 1.14 In terms of the proposal to permit outdoor events involving up to 500 people, plus 500 spectators, from Saturday 15 January, it was noted the First Minister would need to consider later that day whether it was appropriate at this time, or should the restriction be lifted from Monday 17 January, or as part of the changes proposed for Friday 21 January.
- 1.15 *In the meantime, Ministers would have the opportunity to discuss the proposal with officials and key stakeholders and feed comments back to the First Minister's office by 3:30pm that afternoon. There would also need to be a discussion about any impact on public transport.*

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- 1.16 Cabinet agreed that officials should proceed with the decisions taken by Ministers and instruct lawyers accordingly.

Officials to proceed with the decisions taken by Ministers and to instruct lawyers accordingly

Sections 35 & 36