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**MEMORANDUM E (20) 200 (C)**

**FROM: First Minister and deputy First Minister**

**TO: Executive**

**DATE: 20 August 2020**

**FINAL EXECUTIVE PAPER: COVID 19 – INDICATIVE TIMELINE, EXECUTIVE RATIFICATIONS**

**Introduction**

1. The purpose of this paper is to:
  - Provide the Executive with an update on restrictions, with the recommendation that no restrictions are lifted this week;
  - Make recommendations for adjustments to the No 2 Regulations to reflect the prevailing Covid situation; and
  - Make recommendations on contingency arrangements for numbers gathering outdoors.
2. The Executive will want to consider the issues below in the context of the update from the Minister for Health, the R value paper, and the review of the No 2 Regulations.

**Background**

3. On Thursday 25 June, the Executive agreed an indicative timeline for the lifting of restrictions in the Coronavirus Regulations. A number of restrictions have been lifted and regulations amended accordingly.
4. In the current Covid context, the following measures have been risk assessed as planned.

**Pubs, bars and private members' clubs service alcohol only**

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5. The Executive deferred this group from 10 August to 1 September. There is no change in the previous advice from CMO and CSA. The Executive has already given an indicative date of 1 September and the situation will be reviewed again closer to the time.

### **Conference venues**

6. Conference venues are restricted in the Regulations. This includes conference facilities in hotels. The restriction is specific to the venue rather than the activity, which means conferences may be happening in other venues, and the restriction also rules out conference venues being used for smaller meetings and training events.
7. CSA and CMO remain concerned about the social aspects of conferences. An indicative date of 14 September was proposed. At this time, it is assessed that new indicative dates have the potential to cut across the very clear public messaging on the Covid situation and the need to return to basics for social distancing.

### **Soft play areas**

8. The Executive previously deferred the reopening of soft play areas from 7 August pending further work. Engagement has been undertaken with BALPPA, the sector body, and PlayBoard NI. Officials have engaged with other jurisdictions to prepare guidance for when our sector is able to open. The guidance is in draft and is being reviewed by BALPPA. There is no indicative date for this sector here. UKG and WG have removed their restrictions, while SG has an indicative date of 14 September. It is assessed that a new indicative date could dilute current public messaging.

### **Theatres and Concert halls for live audiences**

9. The Executive has already enabled theatres and concert halls to open for rehearsals and sound recordings without audiences present. An indicative date of 1 September was given. There are no proposed changes to the plans. The larger venues are some way from re-opening and have cancelled most of the autumn

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schedule. Financial viability is an issue if social distancing arrangements remain. The Executive will want to review the indicative date nearer the time but it is very unlikely to lead to significant re-opening for the sector even if the Covid situation permits reopening on 1 September.

### **Spectators at indoor sports**

10. Spectators at outdoor sports events are already permitted. DfC has proposed to enable spectators at indoor events, with appropriate social distancing arrangements. While arrangements can be managed, the prevailing Covid situation is a key factor and it is not recommended that the restriction is lifted. It is proposed to reconsider in two weeks time.

### **Suggested amendments to the No 2 Regulations**

11. The prevailing Covid situation has required careful consideration of whether further measures need to be built into the No 2 Regulations. There are three proposals for the Executive to consider in light of the update from the Minister of Health and the R paper. The proposals are general and are not designed to deal with localized Covid risks, and would therefore apply across all settings here. The proposals below would supplement the work proposed in the review of the No 2 Regulations. If approved, the changes will be drafted and this will take a few days, consequently the proposals below would not take immediate effect.

#### *Domestic settings*

12. The Executive has been mindful from the start of the Covid pandemic of the impact on family ties and social interactions. As and when possible, the Executive has gradually eased arrangements for gatherings within domestic settings. The current provision is for up to 10 people to meet in a domestic setting from up to 4 households, and up to 30 may meet in a private garden. The Executive will have noted that while there is no single, specific root cause of the current Covid case numbers, domestic settings and house parties are one area of concern. It is proposed to amend the Regulations to enable up to 6 people to meet in a domestic

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setting from up to 2 households, and a maximum of 15 people meeting in a private garden.

### *The threshold for requiring a risk assessment for a gathering*

13. The current arrangement in the No 2 Regulations is for indoor and outdoor gatherings of over 30 to be permitted if certain conditions are met. There must be a risk assessment, and reasonable steps must be taken to implement the risk assessment issues and to follow Departmental guidance. It is proposed to lower the threshold for a risk assessment being required from 30 to 15 people attending an indoor or outdoor gathering. This will increase the number of risk assessments required to be undertaken, but it will not impact more widely on the regime in the No 2 regulations.

### *Contingency measures for upper limits on outdoor gatherings*

14. The Executive commissioned advice on whether there should be an upper limit on outdoor gatherings. In addition to the suggestion above on reducing the threshold for the risk assessment requirement, the Executive is invited to consider the following proposal.
15. Larger gatherings will still be permitted. An upper limit may however be needed depending on the prevailing Covid circumstances, and it may be necessary to move quickly to put an upper limit in place. This would have negative consequences for some activities and events, and upper limits should therefore be in place only if needed and only for as long as needed. The Executive may therefore wish to build into the No 2 Regulations a sliding scale of upper limit numbers, which can be commenced and stood down as required. The following would be built into the regulations and would apply to outdoor events only, with the policy intent of preventing large numbers gathering together in circumstances where the prevailing Covid situation would not support large gatherings/events taking place. It would also send a signal that upper limits will be contemplated if necessary, and that event organisers should build that possibility into their event plans:

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- 15 persons, in line with the new threshold for risk assessment
- 50 persons
- 100 persons
- 250 persons
- 500 persons

### **Communications**

16. This week's messaging is focused very clearly on the increased numbers, the need to return to social distancing basics, and the possibility of localized measures being needed in the future. Changes to the Regulations will not take immediate effect. Some sectors and activities will remain without indicative dates, and officials should ensure good communication with their relevant sectors.

### **Recommendations**

17. The Executive is invited to:

- i. Note the risk assessment at Annex A;
- ii. Agree that no further restrictions should be lifted at this time and that no new indicative dates will be set this week; and
- iii. Consider and agree to build into the No 2 Regulations revised arrangements for domestic settings, a lower threshold for a risk assessment to be required for gatherings, and a contingency arrangement to commence and stand down upper limits on outdoor gatherings.

**FIRST MINISTER**

**DEPUTY FIRST MINISTER**

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