

**The Welsh Government  
Minutes of meetings of the Cabinet  
16 December 2021**

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

Rebecca Evans MS  
Vaughan Gething MS  
Lesley Griffiths MS  
Jane Hutt MS  
Julie James MS  
Jeremy Miles MS  
Eluned Morgan MS  
Mick Antoniw MS

Hannah Blythyn MS  
Dawn Bowden MS  
Julie Morgan MS  
Lynne Neagle MS  
Lee Waters 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  
Daniel Butler, Special Adviser  
Ian Butler, Special Adviser  
Kate Edmunds, Special Adviser  
Sara Faye, Special Adviser  
Clare Jenkins, Special Adviser  
Owen John, Special Adviser  
Andrew Johnson, 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  
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 Kowall, Senior Legislative Counsel

**Item 1: Review of Coronavirus Restrictions (No. 5) Regulations – 16 December 2021  
CAB(20-21)62**

**9am**

- 1.1 The First Minister introduced the paper, which asked Cabinet to consider whether any changes were required to the protections currently in place to combat coronavirus, specifically the new variant, Omicron.
- 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 situation.
- 1.4 The Delta wave remained stable with the seven day average infection rate remaining around 500 in every 100,000 of the population, this stability also reflected in the number of over 60s contracting the virus.
- 1.5 However, Omicron cases were rising rapidly across the UK, particularly in Glasgow, London and Manchester. Cases were also rising in Wales and with infection rates doubling in less than three days, it was only a matter of time before there would be a significant increase. This wave was expected to last until March 2022.
- 1.6 There were reports of reduced severity in symptoms but the large number of people expected to be infected would lead to substantial pressure on the NHS.
- 1.7 The co-chair of TAC informed Cabinet that the current trajectory of infection from Omicron was high and fast with the peak expected around the third or fourth week of January by which time a significant number of people would have caught the virus. The incubation period remained four to five days and the reinfection rates were between 8% and 10%.
- 1.8 There were two factors to consider with the spread of the new variant. Firstly, it was clearly more transmissible and secondly there was the issue of vaccine escape, *with some suggestion the effectiveness of the booster would wane after eight to nine days.*

- 1.9 The Chief Executive of the NHS informed Ministers that Health Boards were reporting a relatively stable situation, with 500 beds occupied by confirmed cases of COVID-19. ICUs were also stable, but at surge capacity rates.
- 1.10 *There were two issues facing the NHS. Workforce shortages not being met by agency staff, who were reluctant to come forward with the threat of Omicron; and there were 850 more beds occupied at this stage than the same time the previous year. The latter was due to a surge in emergency and urgent admissions and the increase in discharge delays.*
- 1.11 The First Minister reported that the Scottish Government had strengthened its guidance in a number of areas to curb the spread of Omicron, but there were no changes to regulations or the restrictions on businesses.
- 1.12 He, along with the First Ministers of Scotland and Northern Ireland had attended a meeting of COBR the previous day, where there had been a difficult discussion with the Chief Secretary to the Treasury, who refused to provide financial support to the Devolved Governments, should they need to re-introduce restrictions independently.
- 1.13 In that context, Cabinet considered the recommendations in the paper. There should be specific guidance to limit mixing, while encouraging people to take tests before going out, and businesses would be asked to put in place additional mitigations by 27 December. In the meantime, officials would explore the option to provide additional support to businesses impacted by the current wave with a view to making an announcement on a financial package the following day. *It was noted there was up to £200m available until the end of the financial year for such support.*
- 1.14 There was a great deal of concern that the UK Government appeared to be ignoring the scientific advice on the spread of Omicron *and it was suggested this should be made available, perhaps in a technical briefing, in advance of the First Minister's press notice the following day.* Furthermore, without specific additional support from the UK Treasury, the Welsh Government was in a very difficult situation when trying to strike a balance between threats to public health and socio-economic harms. *This should form part of the messaging.*
- 1.15 In terms of options for immediate action and given the financial constraints imposed by the UK Government, Ministers agreed that officials should explore whether these could be strengthened by moving from guidance to regulations wherever possible and further thought should be given to limiting social contact or perhaps a introducing a combination of both.

- 1.16 It was also important to signal clearly what people and businesses should expect after Christmas, and any legislative changes should be made as soon as possible. In the meantime, officials would need to reconsider what specific action should be taken post-Christmas, *at least at Alert Level 2, and whether the implementation date should be 26 December. There should also be advice on the impact on public transport.*
- 1.17 Cabinet agreed to reconvene at 4:15pm to consider further the options alongside the additional advice that had been requested from officials.

***Officials to provide further information as requested by Ministers, prior to the next meeting at 4:15pm***

**4:15pm**

- 1.18 The First Minister informed Cabinet that he had written to the Prime Minister earlier that day to urge him again to either reintroduce the furlough scheme, along with allied measures, for the whole of the UK or to provide the Devolved Governments with access to Treasury funds to enable them to introduce their own measures. This message had been reinforced at the Shadow Social Partnership Council earlier.
- 1.19 *It was reported the Scottish Government was, given the significant increases in cases in England, expecting the UK Government to re-introduce lockdown restrictions in the near future.*
- 1.20 Cabinet returned to the outstanding issues from the earlier discussion and, following the additional advice from officials, confirmed there should be strong guidance about keeping safe over Christmas. In addition, as part of the immediate action, there should be regulations requiring people to work from home or remotely, wherever possible.
- 1.21 In terms of post-Christmas, Cabinet agreed there should be more stringent measures with further legal restrictions to include the reintroduction of two metre social distancing along with one way systems in offices, retail and other businesses to protect staff and customers. *Officials would have to give further thought to the implications for other venues, such as hospitality, cinemas, theatres and concert halls.*
- 1.22 Ministers considered the impact of Omicron on nightclubs and concluded, with the additional risk of infection in confined spaces, they should all close from Boxing Day.
- 1.23 *In relation to major events post Christmas, Ministers agreed that indoor sporting events, without spectators could take place, but there was a need for further advice on the transmission of the new variant before a decision could be taken on outdoor events.*