

OFFICIAL – SENSITIVE - CABINET

Cabinet will wish to note that these minutes, except those items in italics, will be published in week commencing 10th May 2021

**The Welsh Government
Minutes of a meeting of the Cabinet
29th & 31st March 2021 (via Teams)**

Present: Rt. Hon. Mark Drakeford MS
Rebecca Evans MS
Vaughan Gething MS
Lesley Griffiths MS
Julie James MS
Eluned Morgan MS
Jeremy Miles MS
Ken Skates MS
Kirsty Williams MS
Jane Hutt MS

Hannah Blythyn MS
Julie Morgan MS
Dafydd Elis Thomas MS
Lee Waters MS

Officials: Shan Morgan, Permanent Secretary
Will Whiteley, Deputy Director Cabinet Division
Toby Mason, Head of Strategic Communications
Jane Runeckles, Special Adviser
Dan Butler, Special Adviser
Ian Butler, Special Adviser
Sara Faye, Special Adviser
Clare Jenkins, Special Adviser
Gareth Williams, Special Adviser
Tom Woodward, Special Adviser
Christopher W Morgan, Cabinet Secretariat (minutes)
NR Cabinet Secretariat
Jonathan Scourfield, Specialist Policy Adviser
Dewi Knight, Specialist Policy Adviser
Tracey Burke, Director General, Education and Public Services
Andrew Goodall, Director General, Health
Andrew Slade, Director General ESNR
Reg Kilpatrick, Director General, COVID-19 Crisis Coordination
Frank Atherton, CMO
Rob Orford, Chief Scientific Adviser for Health
Helen Lentle, Director Legal Services
Dylan Hughes, First Legislative Counsel
Tom Smithson, Deputy Director Restart
Emma Watkins, Deputy Director
Marion Stapleton, Deputy Director Foundational Economy
Ruth Conway, Deputy Director Support for Learners
Rob Holt, Deputy Director Tourism and Major Events
Neil Buffin, Senior Lawyer

Terry Kowal, Senior Legislative Counsel

NR

Restart Social Policy

NR

Restart Impact Assessment

Claire McDonald, Head of Economic Policy

Bethan Craddock, Head of Policy HE COVID-19

Gemma Nye, Head of Sustainable Workforce

Jo Trott, COVID-19 response team

Jason Thomas, Director Culture, Sport and Tourism (Wednesday only)

Piers Bisson, Director European Transition, Constitution and Justice (Wednesday only)

Christopher Warner, Deputy Director Constitution and Justice (Wednesday only)

Monday 29th March

Item 1: Review of Coronavirus Restrictions (No 5) Regulations – 1st April 2021 CAB(20-21)80

- 1.1 The First Minister introduced the paper, which asked Cabinet to agree a package of amendments for the current review of the Coronavirus Restrictions (No.5) Regulations, subject to the data continuing to support the proposed approach.
- 1.2 Ministers were reminded that the restrictions relating to COVID-19 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. There was a requirement that the Welsh Government should review these restrictions every three weeks.
- 1.3 The paper provided a summary of the health context and key indicators from TAC. In general terms, there was a stable situation, with some variation and hotspots, across Wales. The seven day average was around 39 in every 100,000 of population, the positivity rate was 3.2% and the 'R' rate was around 1.
- 1.4 The number of people with confirmed COVID-19 in hospital had decreased, with a weekly average of around 222 beds occupied, a 30% reduction from the previous period. Intensive Care bed occupancy was also falling, with a weekly average of 20 cases, a 9% reduction from the last review.
- 1.5 In terms of the vaccination programme, it was likely that Milestone 2, those within groups 5-9 to be offered their first dose by the middle of April and achieving 75% take up across the groups, would be met by the end of that week. Overall the public health situation in Wales continued to improve.
- 1.6 The paper outlined the package of amendments being planned for the current review cycle, primarily for 12th April, and those that could be signalled for re-opening following the next review, providing the conditions remained favourable.

- 1.7 Cabinet had previously agreed the full return of children to school and education along with the re-opening of non-essential retail and close contact services from 12th April, and the paper outlined some other areas that should be considered.
- 1.8 It was agreed that the regulations should be changed to enable the viewing of wedding venues from 12th April. In addition, from this date there would be a return to Higher Education face to face learning, not least because very few lessons took place during the summer term. There would still be restrictions on international travel but journeys into and out of Wales from the rest of the United Kingdom and Common Travel Area would be allowed.
- 1.9 There was a discussion about lifting the restrictions on door to door canvassing linked to elections from 12th April. There was some concern about allowing this at a time when there were still restrictions in place on family gatherings. However, the Scottish Government was planning to lift restrictions on canvassing from 5th April, providing certain criteria were met, and canvassing was already happening in parts of England.
- 1.10 It was agreed that officials would need to consider the Scottish Government's plans for lifting these restrictions and consider whether the Regulations could be explicit on what was permissible in terms of engaging with the electorate on the doorstep. Cabinet would reconvene on Wednesday to give this issue further consideration.
- 1.11 Ministers also considered proposals for the next formal review, scheduled for 22nd April, on the understanding that conditions would need to remain favourable and all other easements agreed so far had not needed to be reversed.
- 1.12 It was proposed that outdoor attractions, providing there was an organising body with legal responsibility for ensuring all reasonable measures were in place, and outdoor hospitality could open from 26th April. Organised outdoor activities for up to 30 people and wedding receptions, within these restrictions, could take place from 5th May. Whereas, the reopening of gyms, leisure and fitness facilities, for individual exercise, along with proposals to extend households being able to meet indoors, would be permissible from 10th May.
- 1.13 Allowing for indoors children's activities and organised activities for up to 15 people, along with the re-opening of community centres would be considered as part of the following review scheduled for 14th May.
- 1.14 All of this could be signalled as part of the current review at the press conference on Thursday. This would give businesses and other premises the opportunity to fully prepare for re-opening. It would also be important to signal when indoor hospitality could be expected to re-open.
- 1.15 It was noted that the financial support packages for businesses announced in mid-March was specifically predicated on the likelihood of the restrictions extending

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into May. A note on the £200m of additional COVID-19 financial support, announced as part of the Budget 2021-22, would be shared with Cabinet. It was suggested that Ministers should restate the amount of funding that had previously been made available to the sector to enable them to offer hospitality outdoors.

- 1.16 Cabinet agreed these proposals, but raised concerns about timing of the cycle of easements planned for the review of 22nd April, given that there were plans to lift the restrictions earlier in England. This could lead to people traveling across the border for hospitality and fitness activities and transmitting infections or potentially importing new variants.
- 1.17 The timetable for re-opening such activities in England appeared bold, as the impact of recent relaxations in Wales was not yet quantifiable and the implications of the proposed changes for 12th April, including the full re-opening of schools, would not be available in time for the review on 22nd April. This highlighted the importance of maintaining a staggered approach to lifting the restrictions at this stage.
- 1.18 Cabinet requested that officials provide advice to Ministers on the implications of bringing forward by one week the implementation dates of the proposals earmarked for the review of 22nd April. This would be considered at the Cabinet meeting on Wednesday.
- 1.19 It was reported that officials were developing plans for between four and six outdoor cultural or sporting pilot events, for between 200 and 1,000 people. These would build upon the test events staged the previous September. The aim would be to hold them in April or May, subject to the agreement of the relevant Local Authority and the public health situation at that time. It was noted that the larger events would require lateral flow testing facilities, which would take some time to set up.
- 1.20 In addition, officials were in discussions with the Muslim Council for Wales to identify options to allow a certain number of Eid prayers to take place, which would be safe and suitable from a public health perspective.
- 1.21 Ministers noted the proposals to restart driving lessons and tests, along with plans to signal to the remainder of the accommodation sector that reopening in time for the Spring Bank Holiday weekend would be considered in future reviews.
- 1.22 Cabinet approved the paper, apart from the issues that would need to be revisited on Wednesday.

Wednesday 31st March

- 2.1 Cabinet reconvened to consider the outstanding issues from the meeting on Monday. Whether to bring forward by one week the easement cycle planned for

the 22nd April review and should the restrictions on political canvassing be lifted from 12th April.

- 2.2 The First Minister referred to the additional advice provided by public health officials, which confirmed a period of one week was insufficient to see any indication of changes to the data on the spread of the virus. Adding further relaxations at this early stage would increase risk, without the benefit of understanding the impact of lifting previous measures. This would not be in line with current public health principles, which sought to ensure sufficient time between significant changes.
- 2.3 The cross-border issues previously highlighted were only likely to have an impact on a specific and limited area of the country, but bringing forward proposals to align with England would create a greater risk of accelerating virus growth across the rest of Wales.
- 2.4 Cabinet concluded that the First Minister should signal at his press conference the following day that, providing the health conditions remained favourable, outdoor attractions and outdoor hospitality could open from 26th April. Organised outdoor activities for up to 30 people and wedding receptions could take place from 5th May. Gyms, leisure and fitness facilities, for individual exercise, along with proposals to extend households would be permissible from 10th May. This would need to be confirmed at the review scheduled for 22nd April.
- 2.5 In terms of whether to allow political canvassing to take place, Ministers had been provided with the criteria introduced by the Scottish Government. For such activity to take place in Scotland, the 'stay at home' requirement would have to have been lifted, there would need to be an average infection rate of no more than 50 in every 100,000 of the population and the positivity rate would need to be below 5%.
- 2.6 Should this be considered to be the benchmark, Wales would have already met this criteria as the stay at home restrictions had been lifted, the number of cases per 100,000 was now around 36 and the positivity rate was 2.6%, demonstrating that the downward trajectory of infection rates reported on Monday was continuing.
- 2.7 It would be important to ensure that strict rules were agreed on the number of people able to participate in such canvassing, and a limit of six was recommended. Social distancing would need to be maintained and face coverings would need to be worn at all times when dealing with the public. Street stalls would not be allowed, to avoid people from congregating. These requirements would be set out in statutory guidance.
- 2.8 Cabinet agreed political canvassing could commence from 12th April.

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