

**The Welsh Government
Minutes of a meeting of the Cabinet
Wednesday 9th December 2020
(Teams)**

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

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

Officials: Shan Morgan, Permanent Secretary
Des Clifford, Director General Office of the First Minister
Carys Evans, Principal Private Secretary First Minister
Will Whiteley, Deputy Director, Cabinet Division
Toby Mason, Head of Strategic Communications
Jane Runeckles, Special Adviser
Madeleine Brindley, Special Adviser
Alex Bevan, Special Adviser
Ian Butler, Special Adviser
Kate Edmunds, Special Adviser
Sarah Faye, Special Adviser
Paul Griffiths, Special Adviser
Clare Jenkins, Special Adviser
Andrew Johnson, Special Adviser
Gareth Williams, Special Adviser
Mitch Theaker, Special Adviser
Tom Woodward, Special Adviser
Christopher W Morgan (minutes)
NR Cabinet Secretariat
Jonathan Scourfield, Specialist Policy Adviser
Dewi Knight, Specialist Adviser for Education Reform
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

Dylan Hughes, First Legislative Counsel
Helen Lentle, Director Legal Services
Emma Watkins, Deputy Director Economic Policy
Duncan Hamer, Deputy Director Business
Tom Smithson, Deputy Director Restart
Liz Lalley, Deputy Director Recovery
Terry Kowal, Senior Legislative Counsel
Neil Buffin, Senior Lawyer

Item 1: COVID-19 Alert levels in Wales: A traffic light guide

- 1.1 The First Minister advised Ministers the purpose of the meeting was to consider proposals within the paper about further restrictions that may need to be put in place over the coming weeks, and specifically after Christmas, to help control the spread of the virus.
- 1.2 Any restrictions relating to COVID-19 would be 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 current transmission rates.
- 1.4 The number of cases were continuing to rise, with over 2,000 new infections being reported the previous day. There were now around 345 cases within every 100,000 of the population in Wales, which was above the infection rate prior to the start of the recent firebreak. Whereas, in Scotland the rate was just over 100 in 100,000 and in England around 150 in 100,000.
- 1.5 All Local Authorities in Wales, apart from Anglesey, were reporting increases in cases, and unfortunately fatalities were rising too. All this was putting pressure on hospitals, *which could lead to the suspension of non-urgent interventions.*
- 1.6 Notwithstanding the possibility that recently introduced restrictions might bring about some stability, there was a concern that, with the likelihood of more people mixing for the five days around Christmas day, there would be a further significant increase in transmission rates during late December and early January. Therefore, it would be important for people to avoid mixing in the ten days before Christmas.

- 1.7 The paper set out proposals for four Alert Levels in Wales, which mirrored some aspects of the systems in Scotland and England that had been shown to be effective. It was recommended, given the increase in transmission rates outlined by the CMO, that Ministers should agree, in principle, that Wales should enter Level Four restrictions from 28th December if transmission rates had not improved significantly before then. This possibility would need to be communicated to the public and businesses as soon as possible.
- 1.8 *Ministers agreed there was a need to give further consideration to the financial support available for non-essential retail, given that they would be required to close under the Level Four restrictions. Such support would need to mirror that currently offered to the hospitality sector.*
- 1.9 *However, the affordability of providing such support was a concern and there was a need for further discussions on the financial implications of a Level Four lockdown extending beyond the middle of January. There was also a need to complete modelling work on macroeconomic impacts.*
- 1.10 *There were also concerns within Government and Local Government about the capacity and capability of delivering this additional financial support. Alignment of any additional support to existing provision would limit further administrative requirements. It was recognised this was a particularly busy time for Local Authorities as they were preparing their budgets and collecting non-domestic rates. It was also important to consider what additional support was available for the most vulnerable within society, perhaps through the Discretionary Assistance Fund.*
- 1.11 It was noted that there would be discussions with the health service on planning for increases in COVID-19 related admissions.
- 1.12 Cabinet agreed it was important to make public as soon as possible the further measures under consideration by the Government, to provide businesses with the time to prepare and for Ministers to set out what financial support would be available. It would also be important to give sufficient notice of the date restrictions would be lifted. *It was suggested that, due to cross border issues, non-essential retail could be encouraged to postpone their January sales until the Level Four restrictions had been lifted.*
- 1.13 Ministers would now need to discuss these proposals with their stakeholders, in advance of a further Cabinet discussion the following afternoon, to facilitate an announcement on Friday.
- 1.14 *In terms of other recommendations within the paper, Cabinet agreed that Level 0 should be included within the Alert Levels, but Ministers were asked to look at the detail of the Level in Scotland and flag any issues this may present for Wales.*

OFFICIAL – SENSITIVE - CABINET

Cabinet will wish to note that these minutes, except those items in italics, will be published in week commencing 25th January 2021

- 1.15 *Cabinet also considered measures within the Level Four category and noted the proposal for all pupils to remain in school or education might result in such restrictions remaining in place for a longer period.*
- 1.16 *It was accepted that this measure would, in reality, reflect the firebreak situation, with certain ages and categories of children attending school settings, while others continued with remote learning. It was noted that plans had been made to mass test children returning to school in January. Cabinet agreed with the proposal for schools and requested that officials provide Ministers with an update on the recent SAGE analysis of levels of transmission amongst asymptomatic children.*
- 1.17 *There was a general discussion about the specific proposals for places of worship, support groups and facilities for disabled people and rehabilitation purposes, with questions about whether other activities, such as the opening gyms, should be allowed.*
- 1.18 *It was recognised that the purpose of the restrictions was to stop the spread of the disease and making a special case for certain premises could undermine the Government's overall message. While the case could be made for individual businesses or activities that would each have a marginal impact on the transmission rate, it was recognised that the cumulative effect would undermine the efficacy of the Level Four restrictions. It was agreed that officials would provide Ministers with a note setting out the equivalent Level Four restrictions in Scotland.*
- 1.19 *Cabinet agreed with these specific proposals and noted that where regulations allowed activities and settings to continue this would be permissive, and provision of such services in some circumstances would depend on whether Local Authorities had the capacity to open the relevant premises. Ministers also agreed to proposals to allow 'click and collect' for non-essential retail.*
- 1.20 *Given the time restrictions, Ministers were asked to consider the proposal relating to hospitality, as set out in paragraph nine of the paper, and provide their views to the First Minister's office as soon as possible.*
- 1.21 *In terms of the run up to Christmas, it was reported that two Local Authorities, Caerphilly and RCT, had decided to close schools from Wednesday 16th December. The Thursday and Friday of that week would allow staff to support TTP arrangements. Other Authorities were expected to take similar action.*
- 1.22 *There would be a targeted communications plan focusing on peoples' behaviour before Christmas and highlighting the risks of people gathering. It would be important for businesses and the general public to understand that if there wasn't a significant decrease in virus transmission before Christmas, the Government would have no choice but to impose Level Four restrictions from 28th December.*

- 1.23 It was agreed that Cabinet would convene again the following afternoon to finalise arrangements, *after Ministers had the opportunity to discuss Level Four restrictions with stakeholders. In the meantime, officials would need to take into account comments made by Ministers.*

Sections 29, 35 & 36

ACTIONS (not for publication)

- Cabinet agreed to add Level 0 to the Alert Levels. Ministers are asked to look at the detail of Level 0 in Scotland and feed in to officials any issues this may present for Wales – **All Ministers (comments to Reg Kilpatrick and Tom Smithson)**
- A response to the question of recent SAGE analysis of levels of transmission amongst asymptomatic children to be circulated to Ministers – **Rob Orford – complete**
- Note to be circulated to Ministers setting out the equivalent restrictions in Scotland for Level 4 – **Reg Kilpatrick – complete**
- Ministers to consider the proposal in paragraph 9 of the Cabinet paper – in relation to restrictions on the hospitality sector at Level 2 – and feedback their preferences to the First Minister's office – **All Ministers**
- Ministers to urgently meet with all appropriate stakeholders tomorrow to discuss proposals, ahead of a planned announcement on Friday – **All Ministerial Private Offices**
- Officials to take into account other comments made by Ministers