



Llywodraeth Cymru
Welsh Government

MEETING

Cabinet meeting: 5 July 2021

Minutes of a meeting (via Teams) of the Cabinet on 5 July 2021.

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Present

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Present

- Lesley Griffiths MS (chair)
- Rebecca Evans MS
- Vaughan Gething MS
- Jane Hutt MS
- Eluned Morgan MS
- Jeremy Miles MS
- Mick Antoniw MS

- Dawn Bowden MS
- Hannah Blythyn MS
- Julie Morgan MS
- Lynne Neagle MS
- Lee Waters MS

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Apologies

- Rt. Hon. Mark Drakeford MS
- Julie James MS

Officials

- Shan Morgan, Permanent Secretary
- Des Clifford, Director General Office of the 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
- Daniel Butler, Special Adviser
- Ian Butler, Special Adviser
- Kate Edmunds, Special Adviser
- Sara Faye, Special Adviser
- Clare Jenkins, Special Adviser
- Andrew Johnson, Special Adviser
- Mitch Theaker, Special Adviser
- Tom Woodward, Special Adviser
- Christopher W Morgan, Cabinet Secretariat (minutes)
- Damian Roche, Cabinet Secretariat
- Tracey Burke, Director General, Education and Public Services
- Andrew Goodall, Director General, Health
- Reg Kilpatrick, Director General, COVID-19 Crisis Coordination
- Andrew Slade, Director General, Economy, Skills and Natural Resources
- Catrin Sully, Cabinet Office
- Andrew Jeffreys, Director Treasury
- Frank Atherton, CMO
- Rob Orford, Chief Scientific Adviser Health
- Fliss Bennee, Co-Chair TAC
- Tom Smithson, Deputy Director COVID-19 Restart

- Liz Lalley, Deputy Director Recovery
- Bill MacDonald, COVID-19 Recovery
- Helen Lentle, Director Legal Services
- Dylan Hughes, First Legislative Counsel
- Piers Bisson, Director European Transition, Constitution and Justice
- Christopher Warner, Deputy Director Constitutional Affairs
- Ed Sherriff, Deputy Director, EU Transition
- Gemma Nye, CMO's office

The Minister for Rural Affairs and North Wales, and Trefnydd advised Cabinet that the First Minister had asked her to chair Cabinet due to a family bereavement.

Minutes of the previous meeting

1.1 Cymeradwydd y Cabinet gofnodion y 28 Mehefin / Cabinet approved the minutes of 28 June.

Senedd Business

2.1 The Minister for Rural Affairs and North Wales, and Trefnydd informed Cabinet that there had been a number of changes to Senedd business. The Minister would be responding to First Minister's Questions and the Counsel General and Minister for the Constitution would deliver the Legislative Statement. In addition, the Minister for Education and Welsh Language would make a statement on 'Curriculum Reform, the next steps'.

2.2 No votes were scheduled for Tuesday and voting time on Wednesday was expected to be around 5:45pm.

Coronavirus Control Plan: Baseline measures

3.1 The Minister for Rural Affairs and North Wales, and Trefnydd introduced the item, which asked Cabinet to agree measures that should be developed, with partners, to form a new baseline Alert Level. This would be below Alert Level 1 within the overall Coronavirus Control Plan. Ministers had already discussed proposals to move from limits on the number of people gathering to an approach whereby caps were determined by a risk assessment of certain settings, and retaining Test Trace Protect (TTP) and supporting legal duties. These decisions would now need to be confirmed along with the other measures outlined in the supporting paper.

3.2 The Minister for Health and Social Services was invited to provide feedback from the meeting earlier that day with the Chancellor of the Duchy of Lancaster and representatives from the other devolved nations about the plans of the UK Government to lift restrictions in England.

3.3 It was reported that the data presented at the meeting highlighted that infection rates in England were doubling approximately every eight days and hospital admission rates were doubling every 12 days. New cases could soon be up to 50,000 a day.

3.4 Despite this, UK Ministers were determined to press ahead and 'reopen society' in England on 19 July. This would include no limits on social contact, removal of the one metre plus rule, apart from within limited settings, and no legal requirement for face coverings, although this would still be recommended through guidance in certain situations.

3.5 Nightclubs would be permitted to reopen, the capacity caps on businesses would be lifted along with those attending weddings, funerals and events. Guidance on working from home and restrictions on numbers visiting care homes would also end. The Test and Trace system would remain in place as would the requirement to self-isolate, although this would not apply to contacts of positive cases if fully vaccinated or under 18. In addition, the requirement to quarantine when returning from 'amber list' countries would be removed for people who were fully vaccinated.

3.6 The Minister referred to the paper on baseline measures and highlighted the recent advice from TAG appeared to indicate a significant weakening of the link between infection and serious illness, and therefore a potential shift in the balance of harms. This advice would need to be considered further in light of the recent data from England and used to inform the next review of the regulations, which was scheduled for the following week.

3.7 Cabinet was reminded that 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.

3.8 In addition to the recommendations on social distancing and TTP, which would require further work, ministers were asked to agree that the guidance should continue to encourage people to work from home where possible, which would need to be facilitated by employers. In addition, it was important to reinforce the importance of people staying at home when unwell.

3.9 It was proposed that there should be an ongoing legal requirement to wear face coverings on public transport and potentially some indoor public settings, particularly where it may prove difficult to maintain social distancing. In terms of reasonable measures linked to risk assessments in workplaces, retail, hospitality and public services, further work was required with the various sectors to ensure that the workforce was sufficiently protected.

3.10 Guidance would also need to be developed around ensuring physical distancing, where possible, while maintaining adequate ventilation in premises and encouraging people to take responsible choices to avoid overcrowding. The importance of respiratory and hand hygiene should be set out clearly.

3.11 Cabinet welcomed the paper but expressed concern that the UK Government appeared to be pressing ahead with the full lifting of restrictions in England while infection rates were increasing. It was agreed that the decision making process in Wales should always be informed by the scientific advice, and this should be made clear in the public messaging.

3.12 In terms of the proposed baseline measures, Cabinet confirmed the recommendations relating to the final set of restrictions.

3.13 Cabinet accepted the recommendations relating to working from home.

3.14 Ministers agreed that the legal requirements to wear face coverings on public transport should remain in place and the messaging should be clear that this restriction was not a personal choice but protection for others, including the workforce. These restrictions could also remain in place for hospitality and retail.

3.15 Cabinet approved the paper.

Constitutional Commission

4.1 The Counsel General and Minister for the Constitution introduced the paper, which invited Cabinet to agree the broad approach for the establishment of the Constitutional Commission, including the formation of an expert panel.

4.2 The pledge to establish a Constitutional Commission was set in the context of an evolving constitutional landscape within the UK that included an increasingly assertive UK Government with the Devolved Governments, as demonstrated through the financial assistance powers in the UK Internal Market Act. There were also calls for a second independence referendum in Scotland and continued uncertainty on the stability of the Northern Ireland Executive, with growing tensions with respect to the implementation of the Northern Ireland Protocol.

4.3 This demonstrated the Government's continuing case that constitutional reform was needed, and had been clearly set out in the refreshed publication of 'Reforming our Union'.

4.4 The Commission would need to lead engagement with the public to raise awareness and help build a wider public consensus, while ascertaining views on those issues which were most important to the people of Wales, particularly in the way the UK Constitution operated and the implications for services. There

would also be a need to build consensus with civic society on how the constitution should be reformed to build a stronger Wales within a successful United Kingdom.

4.5 As the Commission would need to be outward facing, it was proposed that it be supported by an expert panel to undertake research and analysis to create a credible evidence base.

4.6 Cabinet approved the paper.

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