



Llywodraeth Cymru
Welsh Government

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Present

Review of Coronavirus Restrictions

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

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- 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)
- Damian Roche, 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

9am

1.1 The First Minister introduced the paper, which asked Cabinet to consider

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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 7 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 3 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 3rd or 4th week of January by which time a significant number of people would have caught the virus. The incubation period remained 4 to 5 days and the reinfection rates were between 8% and 10%.

1.8 There were 2 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.

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 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.

1.11 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.

1.12 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.

1.13 There was a great deal of concern that the UK government appeared to be ignoring the scientific advice on the spread of Omicron. 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.

1.14 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.

1.15 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.

1.16 Cabinet agreed to reconvene at 4:15pm to consider further the options alongside the additional advice that had been requested from officials.

4:15pm

1.17 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.

1.18 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.

1.19 In terms of post-Christmas, Cabinet agreed there should be more stringent measures with further legal restrictions to include the reintroduction of 2 metre social distancing along with one way systems in offices, retail and other businesses to protect staff and customers.

1.20 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.

1.21 Given the economic impact on businesses, a financial support package of between £50 million and £60 million would be available.

1.22 Ministers agreed that messaging the following day should emphasise that people's lives would be changing, which would be reflected in the guidance and regulations, and they should expect further announcements the following week. It was important to ensure information was readily available for those most at risk over the Christmas period, with signposting to advice on domestic violence support, mental health services and for those facing housing problems.

1.23 It was agreed that Cabinet would need to meet again on Monday to consider any outstanding issues and the remaining elements of Alert Level 2. In the meantime, officials should proceed with the decisions taken by Ministers and instruct lawyers accordingly.

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