

Government Response: The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 18) (Bangor) Regulations 2020

1. This is a Government response to the draft report of the Legislation, Justice and Constitution Committee dated 13 October 2020.

Technical scrutiny points:

Point 1: omission of "(Bangor)" in paragraph 1(q)(viii) of Schedule 4A

2. The draft Report notes the omission of "(Bangor)" in paragraph 1(q)(viii) of Schedule 4A to the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020, as amended by the No. 18 Regulations. This has been rectified in the Health Protection (Coronavirus Restrictions) (No. 2) (Wales) (Amendment) (No. 19) Regulations 2020 made on 16 October 2020.

Merits scrutiny points:

Point 1: error in EM description of Article 11 of the ECHR

3. The draft Report notes an error in the description of Article 11 of the European Convention on Human Rights in the Explanatory Memorandum. The error will be corrected.

Point 3: no EIA report published

4. The Regulations have been made to respond to a public health emergency, so it has not been possible to produce and publish an Equality Impact Assessment alongside them. An Integrated Impact Assessment of social gathering restrictions will be published in due course.

Point 4: request for EM to set out the evidence on which the Welsh Government relies

5. When the Bangor area local health protection area (LHPA) was established, there was a rising trend in rolling 7-day incidence rates of COVID-19 in Gwynedd and this information was provided in the Explanatory Memorandum.
6. Gwynedd was continuing to exceed 50 cases per 100,000 population placing it in the category where further action to control the infection is considered. However, PHW figures indicated that the incidence rate in Bangor was much higher at 318 cases per 100,000 population, compared with around 35 cases per 100,000 population for the rest of the county. There were 176 cases in Gwynedd from 4/9/2020 to 7/10/2020, of which 79 were in the Bangor area.
7. The Incident Management Team's biggest concern was student communities in Bangor. They reported there were currently 108 positive cases linked with the University (an

incidence rate of around 390 cases per 100,000). The clear recommendation from the IMT was to establish a local health protection zone for Bangor only.

Point 5: request for evidence of the need for the Regulations to come into force before being laid

8. The Government considers that the increase in cases described above demonstrates and justifies the need for the Regulations to come into force as quickly as possible.