

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Lead Member for Economy, Transport and Environment
Date:	10 March 2022
Title:	Hampshire's Bus Enhanced Partnership Plan & Scheme
Report From:	Director of Economy, Transport and Environment

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Purpose of this Report

1. The purpose of this report is to set out details of a proposed Hampshire Enhanced Partnership Plan (EP Plan) and Hampshire Enhanced Partnership Scheme (EP Scheme), as the final step in the development of the Enhanced Partnership with bus operators, building on the Hampshire Bus Service Improvement Plan (BSIP) that was approved in October 2021.
2. The EP Plan sets a high-level vision for Hampshire's bus network whilst the EP Scheme sets out the legal obligations on Hampshire County Council and local bus operators. They have been co-developed by Hampshire County Council and local bus operators, engaging closely with neighbouring Local Transport Authorities (LTAs), and have been subject to an operator objection period and statutory consultation.

Recommendations

3. That the Executive Lead Member for Economy, Transport and Environment approves the Hampshire Enhanced Partnership Plan (EP Plan) and Hampshire Enhanced Partnership Scheme (EP Scheme), as detailed within, and appended to this report, as the local response to "Bus Back Better", the national bus strategy, building on the Hampshire Bus Service Improvement Plan (BSIP) that was approved in October 2021.
4. That authority is delegated to the Director of Economy, Transport and Environment to make the necessary arrangements to formally 'make' the EP Plan and EP Scheme in line with Government guidance, to include establishing the governance structure for the Enhanced Partnership.

Executive Summary

5. This report sets out the details of Hampshire County Council's proposed approach to the local delivery of the Government's National Bus Strategy

through a BSIP, EP Plan and EP Scheme for Hampshire. The consistent policy themes running through the National Bus Strategy are a green recovery from the pandemic, decarbonisation of transport and levelling up the economy.

6. The BSIP was prepared following extensive engagement with bus operators and neighbouring LTAs. It is also strongly aligned with the current Local Transport Plan 3, with the guiding principles of the emerging Hampshire Local Transport Plan 4, as well as with Hampshire County Council's Climate Change Strategy and the County Council's strategic aim of promoting strong and resilient economic growth.
7. The Government initially announced that £3 billion would be made available for Local Transport Authorities to bid for towards delivery of local measures. However, the spending review in November 2021 only included £1.2 billion specifically for BSIPs.
8. The Hampshire BSIP was submitted to Government in October 2021, accompanied by a prioritised list of interventions and set out the funding requirements to enable the County Council and its partners to meet the commitments, ambition and targets set out in the BSIP. At the time of writing this report, the amount of funding secured for Hampshire had not been announced by Government and will depend on how the BSIPs are evaluated nationally.
9. Following submission of the BSIP, the County Council was then required to prepare an EP Plan and EP Scheme by April 2022. Together these documents lay the foundation upon which Hampshire County Council and local bus operators can take the first step in working towards realising the shared BSIP ambitions.
10. The EP Plan sets a high-level vision for Hampshire's bus network, including journey time and reliability targets, and the plans to deliver them. It largely replicates the Hampshire BSIP that was published in October 2021.
11. The EP Scheme, which accompanies the EP Plan sets out the legal obligations on Hampshire County Council and local bus operators and is the mechanism by which the commitments made in the BSIP and EP Plan are delivered 'on the ground.' All parties are clear about their respective obligations, and they are, as far as possible, comprehensively, accurately and unambiguously recorded.
12. At the time of writing the EP Plan and EP Scheme, the level of funding available was not known. Therefore, the EP Scheme was only able to contain quite limited statutory commitments where funding could be guaranteed. However, once funding is confirmed, it is intended to use bespoke arrangements for varying the EP Scheme to add in additional facilities and measures that have funding to enable their delivery.
13. Following submission of the BSIP the government required the County Council to engage with stakeholders on both a formal and informal basis around the development of the EP Plan and EP Scheme. The informal consultation took place between October and December 2021 and consisted of a range of initiatives designed to understand stakeholders' aspirations and support.
14. The formal consultation on the draft EP Plan and Scheme took part in two phases as set out in legislation. Firstly a 28-day operator objection period ran from 23 December 2021 until 20 January 2022. The EP could not be progressed

without the formal agreement of the bus operators, but pleasingly no objections were received. This period also gave an opportunity for certain operators to choose to be excluded from the EP Plan and EP Scheme if they wished to be.

15. Following the operator objection period, a 3-week engagement period with statutory consultees took place, between 24 January and 14 February 2022. Nine responses were received, all of which made positive comments alongside suggestions for improvement. Over half explicitly stated support for the Hampshire EP and an interest in working together going forward. Respondents were particularly supportive of proposals for a discounted travel product for young people and for developing a bus service standard for new developments. The suggestions for improvement were varied but in general neighbouring LTAs were keen on cross border initiatives and mutually beneficial bus priority, whilst district/borough councils wanted to see more for their respective areas through bus priority, more ambitious bus growth targets and stronger obligations on bus operators.

Contextual information

16. In March 2021 the Government published England's first National Bus Strategy. It set out a vision for the future of bus services outside London. It required LTAs to confirm if they would deliver the national strategy locally through either formal "Enhanced Partnership" arrangements between local transport authorities and bus operators, or through franchising. Failure to engage and confirm the preferred way forward would result in the Government cutting local bus grants. On 17 June 2021 the Executive Lead Member for Economy, Transport and Environment confirmed it was the County Council's intention to enter into an Enhanced Partnership.
17. The National Bus Strategy, and additional funding flowing from it, would contribute significantly Hampshire County Council's Climate Change Strategy and the County Council's strategic aim of promoting strong and resilient economic growth, as well as assisting recovery from the Covid pandemic.
18. The strategy represents an opportunity for the County Council to extend its productive partnership working arrangements with bus operators and neighbouring local transport authorities, in order to enhance the quality and attractiveness of the bus network. The National Bus Strategy indicates that the level of funding to be received by LTAs will reflect the level of local ambition demonstrated by the LTAs and their bus operators.
19. The strategy also set out the conditions that LTAs should adhere to, not only to access the national funding for enhancements, but also to secure ongoing financial support for bus operations in their area. The key milestones are:
 - 30 June 2021: commit to establishing Enhanced Partnerships under the Bus Services Act;
 - 31 October 2021: publish a local Bus Service Improvement Plan (BSIP) in line with the strategy requirements; and
 - April 2022: have an Enhanced Partnership (EP) in place or be following the Franchising process.
20. At the Decision Day on 17 June 2021, the Executive Lead Member for Economy, Transport and Environment approved that a Statutory Notice should

be issued stating the County Council's intention to enter into an Enhanced Partnership with bus operators serving Hampshire.

21. At the Decision Day on 28 June 2021, the Executive Lead Member for Economy, Transport and Environment approved the Hampshire Bus Service Improvement Plan (BSIP) and gave approval for a consultation exercise to be conducted as part of the BSIP and Enhanced Partnership requirements.
22. The BSIP follows a template structure provided by the DfT, setting out:
 - how the current bus network in Hampshire compares to the ten ambitions outlined in the DfT's May 2021 BSIP guidance;
 - a series of targets for reducing average bus journey times and for the percentage of bus services running on time; and
 - a high-level vision and a series of ten long-term commitments for how the County Council and bus operators will work to improve the quality of local bus services in Hampshire up to 2030.
23. There are two parts to an Enhanced Partnership:
 - an EP Plan, which is a clear vision of the improvements to bus services that the EP is aiming to deliver, subject to the level of funding secured, mirroring the BSIP; and
 - EP scheme – an accompanying document setting out the improvements that will be made by the LTA and bus operators to deliver the improvements set out in the EP Plan.

Enhanced Partnership Plan (EP Plan)

24. The EP Plan for Hampshire, attached as Appendix 1 to this report, sets out the high-level vision for Hampshire's bus network, including journey time and reliability targets, and the plans to deliver them.
25. Section 2 of the EP Plan summarises how the current bus network in Hampshire compares to the ten ambitions outlined in the DfT guidance. It describes the current levels of bus use, gives details of which services receive support, locations of existing bus priority measures, and the main destinations bus passengers travel to. It outlines how buses are used and the key issues affecting bus services across the county and in each of the six main urban areas.
26. Section 3 sets out a series of targets for reducing bus journey times and for the percentage of bus services running on time. There are also countywide targets for passenger growth and customer satisfaction. The headline countywide targets are to:
 - reduce average bus journey times across Hampshire by March 2025 and by 9% by March 2030;
 - improve bus journey time reliability with 87% of services on routes operating on time from March 2025 onwards and 92% by March 2030;
 - assuming bus passenger numbers return to around 80% of pre Covid-19 levels by the end of March 2022 then return bus passenger numbers to pre-Covid 19 levels by March 2023. Increase bus passenger numbers by 5% from 2022/23 levels over the period April 2023 to March 2025 and 10% between April 2025 and March 2030; and

- increase bus passenger satisfaction by 5% from a base of 89% in 2019/20 to 94% by March 2025.
27. The proposed targets will be kept under review and revised to reflect the BSIP funding allocations, and to take account of the considerable uncertainty about the rate at which passenger numbers will continue to recover during the course of 2022 and potentially beyond.
 28. Section 4 of the EP Plan sets out a high-level vision and a series of ten long-term commitments for how the County Council and bus operators will seek to improve the quality of local bus services in Hampshire up to 2030, subject to securing additional funding.
 29. Section 5 summarises how Hampshire County Council will report on progress of the EP Plan. It is proposed that the County Council will publish a report in May and November each year showing progress made against the targets set out in the Plan.
 30. Section 6 provides an easy to read table showing how all the key outputs of the EP Plan meet the requirements set out in the Government's Bus Back Better Strategy.
 31. Appendix 1 of the EP Plan presents a prioritised list of the facilities and measures that the County Council wishes to deliver, with the progress and timing of delivery dependent on the amount of funding secured.

Enhanced Partnership Scheme (EP Scheme)

32. The EP Scheme attached as Appendix 2 to this report, has been drafted in accordance with the statutory requirements in section 138 of the Transport Act 2000. It therefore sets out the legal obligations of Hampshire County Council and local bus operators and is the mechanism by which the commitments made in the BSIP and the EP Plan are delivered 'on the ground'. All parties are clear about their respective obligations, and they are, as far as possible, comprehensively, accurately and unambiguously recorded.
33. The EP Scheme places an obligation on the County Council, in its role as Local Transport Authority (LTA) for Hampshire, to deliver its requirements and similarly that all bus operators agree to abide by the standards of service it imposes. There is an opportunity for legal redress if the obligations are not fulfilled.
34. Section 2 describes the geographical coverage of the EP Scheme, confirming that it will cover all local bus services operating in Hampshire. It also lists any operators that have chosen to be exempt from the requirements of the EP Scheme on the grounds that the majority of mileage they operate is within another LTA or that they only operate one or two bus services that are low frequency or operate demand responsive rural services.
35. Section 3 details the obligations of Hampshire County Council. These focus on maintaining the highway network as well as informing bus operators about roadworks and maintaining the facilities it provides for buses such as bus lanes, bus stops, real time information displays and other infrastructure. In addition, the County Council will provide information to Traveline on changes to bus services and commit to continue to provide a website dedicated to public transport,

offering links to a journey planner, travel guides, timetables & maps, information about concessionary bus passes and travel vouchers.

36. The County Council also has statutory commitments in relation to providing suitable transport arrangements for children to attend school in line with the Education Act and reimbursing bus operators and assessing passengers' eligibility for concessionary travel. Both of these requirements are now enshrined in the EP Scheme.
37. Section 4 details obligations on local bus operators. These centre on a commitment to run all commercial and tendered bus services that have been registered to operate in Hampshire, except under exceptional circumstances. Other key commitments are an agreement to standardise the dates of timetable change dates for local operating areas, to two dates per year across the local bus network in Hampshire. Bus operators will now also ensure that network maps and timetables they produce will include details of complementary bus service connections that are provided by other operators. Where bus operators provide contactless ticket machines, next stop audio/visual announcements and USB charging points, operators will commit to ensure these are maintained in good working order.
38. Section 5 highlights two joint commitments by the County Council and local bus operators to agree to accept Solent Go products and also to produce and maintain a Hampshire Bus Customer charter, setting out clear provisions on punctuality, vehicle cleanliness, proportion of services operated, information and redress.
39. The final section of the EP Scheme provides details of Governance arrangements. There will be an EP Board, which will meet quarterly to oversee work on delivery of the EP Scheme and monitor and review progress of delivery of facilities and measures. It will also formally consider all variations to the EP Scheme, the process for which is also detailed in this section.
40. The EP Board will be supported by EP Working Group(s) that will make day-to-day operational decisions but will have no formal powers. Its role being to measure progress towards EP Plan targets and undertake reviews of the document, deliver the EP Scheme facilities and measures, and action requests from the EP Board and EP Forum.
41. In addition, there will be an EP Forum that will monitor progress towards EP Plan targets and input into annual reviews and updates. The Forum will provide oversight of progress and act as formal consultees to the future content and arrangements as well as initially considering any proposed variations to the EP Scheme. The Forum would meet twice a year with membership being drawn from a wide range of stakeholders. A separate Bus Users Forum is to be established, providing a mechanism for the views of bus users to be shared with the County Council and bus operators.
42. Unlike the EP Plan which focusses on the provision of new infrastructure and enhancing commercial operations which do not require local authority support, the EP Scheme also has to consider what known local authority funding is available and the level of fare income available to bus operators. At the point at which the EP Scheme was drafted, the DfT funding allocations to LTAs from the £1.2billion of Bus Back Better were not known, and the advice re-introduced by the Government in December 2021 to work from home where possible is likely

to have an adverse impact on bus passenger numbers. It would therefore not be practicable for signatories to make firm financial commitments within the EP Scheme, in light of these factors.

43. Given the above, the initial EP Scheme primarily focused on existing legal and statutory obligations of both the County Council and operators, together with other commitments that can be made at little or no cost. Once there is greater certainty around future funding, the bespoke variation mechanism contained in the EP Scheme will be used to add other measures and facilities into the Scheme.

Finance

44. The County Council has been successful in securing Local Transport Authority Bus Capacity Funding allocation from DfT, the purpose of which was to cover costs incurred in the preparation of the BSIP and EP.
45. Achieving the full ambition and many of the commitments set out in the EP Plan is conditional on securing additional funding from the DfT's Bus Back Better funding stream. The Government initially announced that £3billion, covering the three-year period from 2022/23 to 2024/25, would be made available for LTAs to bid for towards delivery of local measures. However, the spending review in November 2021 set out a commitment to £1.2billion of additional funding specifically for facilities and measures included in BSIPs. There has been no indication of the levels of funding that might be made available from 2025/26 until 2030.
46. The DfT stated that the level of ambition set out by LTAs within their BSIPs would be rewarded. The Hampshire BSIP was formally submitted to Government in October 2021 and was crafted to demonstrate this high level of ambition, so it is considered that there is a strong likelihood that Hampshire will perform well.
47. The BSIP was accompanied by a prioritised list of interventions and set out a funding ask of approximately £140million in order for the County Council and its partners to be able to realise the commitments, ambition and targets set out in the BSIP.
48. In the likely event that the amount of funding secured is less than the £140million as identified above, this will limit the scale of improvements, and in turn dictate the level of increase in bus passenger journeys that the County Council and local bus operators can achieve over the period to 2024/25 and beyond.

Consultation and Equalities

49. In line with guidance issued by the Department for Transport, the County Council has undertaken consultation to gain the views and support of stakeholders both on the existing bus network and potential improvements that could be made through the Enhanced Partnership.
50. Following the submission of the BSIP the government required the County Council to engage with stakeholders on both a formal and informal basis around the development of the EP Plan and EP Scheme. The informal consultation took

place between October 2021 and January 2022 and consisted of a range of initiatives including a Passenger Transport Forum, meetings with district and parish councils and a series of virtual drop-in sessions that any interested stakeholders could sign up to. Two focus groups were also conducted, the first group consisted of regular bus users and the second group consisted of infrequent or non-bus users. In addition to this there were regular meetings with all local bus operators and neighbouring local authorities. Overall, there was strong support for the scope and direction of the BSIP as well as support for the priorities the County Council has identified.

51. In advance of the formal consultation, there was regular dialogue with the main bus operators in Hampshire, so that there were no surprises in the draft EP Plan and Scheme. The requirements for consultation are set out in the Transport Act 2000 and consist of a two-part process. Firstly a 28-day operator objection period ran from 23 December 2021 until 20 January 2022. The EP could not be progressed without the formal agreement of the bus operators, but pleasingly no objections were received. This period also gave an opportunity for smaller operators, or those that only marginally enter Hampshire, to choose to be excluded from the EP Plan and EP Scheme if they wished to be.
52. Following the operator objection period, a 3-week formal consultation period with statutory consultees took place. This ran between 24 January and 14 February 2022. This engagement took place with seven statutory consultees that were prescribed in the DfT guidance. There were no specific questions for respondents to complete, open comments were welcomed and unprompted. The prescribed statutory consultees who were engaged with were:
 - all operators of local bus services affected by any of the proposals;
 - organisations that represent local passengers;
 - district or borough councils, National Park Authorities (within Hampshire) and neighbouring Local Transport Authorities (LTAs) who would be affected by the EP proposals;
 - the Police;
 - the Traffic Commissioner;
 - Transport Focus; and
 - the Competition and Markets Authority (CMA).
53. Nine responses were received, 44% from neighbouring LTAs, 33% from local district/borough councils and 22% other (the CMA and Transport Focus). All respondents made positive comments alongside suggestions for improvement. Over half explicitly stated support for the Hampshire EP and an interest in working together going forward. Respondents were particularly supportive of proposals for a discounted travel product for young people and for developing a bus service standard for new developments. The suggestions for improvement were varied but in general neighbouring LTAs were keen on cross border initiatives and mutually beneficial bus priority, whilst district/borough councils wanted to see more for their respective areas through bus priority, more ambitious bus growth targets and stronger obligations on bus operators.
54. In terms of equality impacts, there is a higher reliance on buses amongst particular sectors of the population: women, younger age groups (16–19-year-olds), part-time workers, ethnic minorities, those in manual occupations, and those on low incomes. 18.9% of households in Hampshire have no access to a

car or van. In light of this, there is a need to support the most socially excluded residents who are disproportionately represented as bus passengers. Around one in three bus journeys in Hampshire are made by concessionary pass holders.

55. The EP Plan commits to delivering bus services that are more frequent, more reliable, easier to understand and use, and better co-ordinated. This will enable people to access essential services and lead independent lives for longer within their own communities. The outputs of the EP will therefore have a particularly positive outcome for those groups who are statistically more frequent users of public transport including younger and older people, women, those with the protected characteristics of disability, race, pregnancy and maternity, those living in rural locations and those on lower incomes. Residents with the protected characteristic of religion or belief could also be impacted positively through improved services supporting access to religious events or places of worship.
56. The bus users forum will be the mechanism used in order to engage with the groups as set out above in order to gain a better level of understanding on how proposals will have a positive impact on their lives and ensure that these groups benefit from the funding.

Climate Change Impact Assessments

57. Hampshire County Council utilises two decision-making tools to assess the carbon emissions and resilience of its projects and decisions. These tools provide a clear, robust, and transparent way of assessing how projects, policies and initiatives contribute towards the County Council's climate change targets of being carbon neutral and resilient to the impacts of a 2°C temperature rise by 2050. This process ensures that climate change considerations are built into everything the Authority does.
58. The climate change tools will be fully utilised for the EP Scheme when detailed delivery information is available.

Carbon Mitigation

59. By increasing the modal share of journeys made by bus, and decreasing the share made by private car, the BSIP would support a reduction in carbon emissions from transport. Buses also make more efficient use of road space – a double decker bus can take up to 75 cars off the road. Bus operators will continue to invest in their bus fleets, which already perform well in terms of nitrogen dioxide and particulate matter emissions. On average, each journey made by bus generates a 50% reduction in carbon emissions over a journey made by private car. Bus operators, in partnership with the County Council will continue to seek funding from the Government towards zero carbon buses, which could be either electric or hydrogen buses. This will see the number of diesel buses progressively reduced over time.

Conclusions and Next Steps

60. The approach to the Hampshire Enhanced Partnership Plan and Enhanced Partnership Scheme set out within this report are consistent with the policy

objectives of the existing Local Transport Plan 3 and the emerging Local Transport Plan 4, and could contribute significantly to Hampshire County Council's Climate Change Strategy and the County Council's strategic aim of promoting strong and resilient economic growth, as well as assisting the economic recovery from the Covid pandemic.

61. Delivery of the approach set out within the EP Plan and EP Scheme would enable the County Council to begin the work needed to meet the objectives set out within the Government's Bus Back Better Strategy and the Hampshire BSIP as well as maximising the likelihood of securing additional funding to deliver the proposed improvements. This work would build upon the already positive working relationship the County Council has with its bus operators and enable the best outcomes for bus users in Hampshire.
62. The intention is to 'make' the Enhanced Partnership in April 2022, in line with Government requirements. The EP Plan represents the County Council's ambition, with the EP Scheme containing the details of what the County Council and bus operators are able to commit to and will be updated using the bespoke variation mechanism as funding becomes available. The EP Scheme will also be reviewed on a six-monthly basis, to consider progress towards targets and outcomes.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	Yes
People in Hampshire live safe, healthy and independent lives:	Yes
People in Hampshire enjoy a rich and diverse environment:	no
People in Hampshire enjoy being part of strong, inclusive communities:	Yes

Other Significant Links

Links to previous Member decisions:	
<u>Title</u>	<u>Date</u>
Bus Back Better : National Bus Strategy Bus Back Better - National Bus Strategy-2021-06-17-EMETE Decision Day (hants.gov.uk)	17.6.21
Bus Service Improvement Plan Decision Record - Bus Service Improvement Plan-2021-10-28-ELMETE Decision Day (hants.gov.uk)	28.10.21
Direct links to specific legislation or Government Directives	
<u>Title</u>	<u>Date</u>
Bus Back Better Bus Back Better (publishing.service.gov.uk)	March 2021
Bus Services Act 2017: Enhanced Partnership Guidance The bus services act 2017: enhanced partnerships (publishing.service.gov.uk)	Updated July 2021

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

- 2.1. In terms of equality impacts, there is a higher reliance on buses amongst particular sectors of the population: women, younger age groups (16–19-year-olds), part-time workers, ethnic minorities, those in manual occupations, and those on low incomes. 18.9% of households in Hampshire have no access to a car or van. In light of this, there is a need to support the most socially excluded residents who are disproportionately represented as bus passengers. Around one in three bus journeys in Hampshire are made by concessionary pass holders
- 2.2. The EP Plan commits to delivering bus services that are more frequent, more reliable, easier to understand and use, and better co-ordinated. This will enable people to access essential services and lead independent lives for longer within their own communities. The outputs of the EP will therefore have a particularly positive outcome for those groups who are statistically more frequent users of public transport including younger and older people, women, those with the protected characteristics of disability, race, pregnancy and maternity, those living in rural locations and those on lower incomes. Residents with the protected characteristic of religion or belief could also be

impacted positively through improved services supporting access to religious events or places of worship.