Martin Lucas-Smith and Simon Nuttall
CycleStreets Ltd
80b York Street
Cambridge CB1 2PY

16th March 2010

GI Consultation
Communities and Local Government
2/G9 Eland House
Bressenden Place
London SW1E 5DU

giconsultation@communities.gsi.gov.uk

Dear Sir or Madam,

**Ordnance Survey consultation**

This letter forms the response of CycleStreets Ltd to this consultation[1]. Our perspective is that of a community-based startup wishing to produce innovative web-based applications.

By way of introduction, our organisation has created a UK-wide cycle journey planner and photomap system, CycleStreets.net. It is, as far as we are aware the only UK-wide cycle journey planner, and it uses OpenStreetMap data which is collected primarily by volunteers. Its data is becoming of sufficient quality for cycle routing purposes. By contrast, Ordnance Survey data is unavailable to us under its present cost and licensing regime.

We have created a system at a fraction of the cost of the government's Transport Direct –based system which covers fewer areas of the country. Our system is an example of how innovative solutions can be created more quickly and with lower cost at community-based level, an increasingly important factor in a time of decreasing public sector revenue availability.

Public-facing government-based IT solutions in areas like our own will increasingly simply not be able to keep up with the pace of private and community sector initiatives. The role of government in geographical data should therefore be to facilitate release of data to enable these initiatives to flourish (with the tax revenues this will create), rather than to attempt to withhold the data and create monopoly services.

***Principles for geographically-orientated web-based applications***

[1] http://www.communities.gov.uk/publications/corporate/ordnancesurveyconsultation and simplified version at http://understood.dreamhosters.com/wp-content/uploads/2010/02/os%20final.pdf

We chose to use OpenStreetMap data for four reasons, all of which are increasingly relevant to anyone creating geographically-orientated web-based applications:

Firstly, the level of accuracy is 'good enough'. It does not pretend to compete with the very detailed level of mapping data provided by some of the Ordnance Survey's offerings (on which we have no comment). For many internet-based applications, such detailed data is not required; instead, street level data to perhaps 5-10 metres' accuracy is more than good enough.

Secondly, the data is available at zero cost, which for a not-for-profit startup working for community ends like ourselves, is important. The cost is low because of its crowd-sourced nature. It will not be long before the data is sufficiently complete for most uses.

Thirdly, our users are able to manipulate the data directly if they wish; for instance, if a new shop opens, a user is able to update this on the data source directly, meaning that within days (a very fast turnaround, we understand in comparison to Ordnance Survey data), that data is available within our system for others to search on or be routed over. Furthermore, if we find an error or omission in the data, we or another user can implement such a change, and there are sufficient other users of the data source to enable quality control.

Fourthly, because it is Open Data, we are able to re-use this in a way which avoids costly and time-consuming licensing negotiations. The status of the data is clear and unambiguous. There are no questions relating to derivative data rights and so forth. The data is both open in terms of access, and Open in terms of the rights associated with it.

***The future of geographically-orientated web-based applications***

These kinds of principles are where we feel mapping data is heading, in the age of the Internet. Businesses and community organisations like our own increasingly wish to see low-cost data without restrictive rules that prevent it being 'mashed' together with other data sources.

Web-based applications rely on the ability to combine data sources together, something that becomes increasingly difficult with closed data sources. The corollary is that providers who offer open data will flourish, while those offering restrictive terms will become increasingly irrelevant.

Looking at the so-called 'free-to-access' data in OpenSpace, we see only a tiny number of applications using OpenSpace – certainly a tiny number compared to those using map APIs like Google Maps. There has been an explosion of use of such APIs, and Ordnance Survey's API is not commanding much interest.

Without change, Ordnance Survey is at considerable risk of being left behind for many applications that do not require extreme accuracy, particularly as satellite imagery, crowd-sourcing, and other means of obtaining data become cheaper and more widespread and because the OS can only supply data for the UK and not beyond (in a world where geographical boundaries are becoming less significant).

***Postcode data***

We are particularly strongly in favour of the release of postcode data. Lack of access to PostZon, in which we understand the OS has rights, is a major impediment to community-based initiatives such as our own.

Like much Ordnance Survey data, much of this we believe has been created ultimately at taxpayer cost (by agencies which are funded by local or national taxation), and thus the taxpayer ought to have a legal right to use it.

We believe that PostZon should be run under a model which regards this data as a national asset, with any additional costs being paid for by the Exchequer. We especially urge that decisions relating to PostZon be made decisively and quickly.

The 'Cambridge Study'[2] provides some evidence that taxpayer funding of this data provides greater overall benefits.

***Boundary data***

We believe it is unacceptable for boundary data to be held under any non-open data license. By definition, boundary data is self-referencing: it cannot be re-surveyed. As such, retaining this data under a closed data license represents an unfair monopoly and retains lock-in to the OS.

***Raster imagery vs raw data, and satellite imagery***

In our view, any release of OS data under less restrictive licenses should be for raw data rather than raster imagery. There is no need to release cartographic imagery and it should remain an income source for the OS.

The Ordnance Survey has a respected and long history of producing quality cartography, and we see no reason why this should not continue and be paid for by users. The OS should continue to be merely one supplier of cartographical renderings. Others who wish to create competing cartography should be able to use released raw data accordingly, ensuring the OS continues to focus on quality in its cartography as a result of a competitive environment.

However, we do wish to see claims by the OS relating to derivative data rights on satellite imagery renounced.

***Derivative data claims over point-source data***

We feel that the OS' claims of derivative rights over point-source data (as distinct from line-based data) are increasingly untenable and must be scrapped. To take the example of the OpenSpace FAQ:

"Q: I am using OS OpenSpace to create a database of location based information. Does Ordnance Survey own this?"

[2] "Models of Public Sector Information Provision via Trading Funds" Newbery, Bently, Pollock, 2008. http://www.berr.gov.uk/files/file45136.pdf ; see also section 1.27 of the Consultation itself.

"A: Yes. When you use OS OpenSpace to geocode data by adding locations or attributes to it that have been directly accessed from and/or made available by Ordnance Survey mapping data, then the resulting data is 'derived data', because it is derived from Ordnance Survey data."

This clause simply is untenable in the modern world, where maps are data rather than purely pieces of paper. We certainly would not touch OpenSpace on this clause alone. It prevents an entire class of applications using OpenSpace, and no serious developer would give away their IP in such an unacceptable manner. Furthermore, terms such as these create unfair lock-in conditions that prevent movement to other suppliers without recreating the data, something that would be impossible for many crowd-sourcing –based applications.

***Choice of license (question 7)***

We believe the use of Creative Commons as a license would be incorrect, as that applies to creative works, of which database of geographical data is not one. Instead, a public domain or open database license should be used.

***Method of release (question 7)***

We consider that the cost of providing an API itself is reasonable to be charged for on an at-cost basis.

***Access to data paid for by public funding***

In our own field of interest, Cycling England is collecting cycling-relating data for Transport Direct, at taxpayer expense. We assume that this data will not be available except to those with an OS license. We consider this unacceptable. Such data would be of potential use to a range of users and should be openly available.

***Summary***

Community-based initiatives have the potential to provide web-based facilities of interest to citizens at much lower cost and more innovatively than the government itself can achieve. These organisations and others should have access to data under an Open license. Wide access to such data has the potential to create an explosion of uses, as well as lower costs to the taxpayer overall. Thus we favour options 2 or 3. Furthermore, the role of government in geographical data should therefore be to facilitate release of data to enable these initiatives to flourish (with the tax revenues this will create), rather than to attempt to withhold the data and create monopoly services. Furthermore, data collected at public expense should always be made freely available.

Yours sincerely,

Martin Lucas-Smith and Simon Nuttall
Developers / Directors, CycleStreets Ltd