

However, in order to eliminate certain legal conflicts on this issue, it is necessary:

a) To bring the content of Article 97 of the Criminal Code of Ukraine in line with the requirements of Articles 66, 93, 116, 122, 123, 125 and 149 of this Code [3].

b) To bring the content of Part 1 and Part 6 of Article 97 of the Criminal Code of Ukraine into compliance.

c) Bring the content of Article 62 of the LC of Ukraine in line with the content of the amended (in the future) Article 97 of the Criminal Code of Ukraine [2; 3].

d) Study the European experience on this issue and, if necessary, take appropriate steps to bring national legislation in line with European land legislation.

REFERENCES

1. The Constitution of Ukraine. Date of update: 30.09.2016. URL: <http://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80> (Last accessed: 05.11.2018).
2. Forest code of Ukraine. Date of update: 18.12.2017. URL: <http://zakon0.rada.gov.ua/laws/show/3852-12> (Last accessed: 06.08.2018).
3. Land code of Ukraine. Date of update: 12.10.2018. URL: <http://zakon0.rada.gov.ua/laws/show/2768-14> (Last accessed: 05.11.2018).
4. Ukrainian Act “State control of land use and land conservation”. Date of update: 28.12.2015. URL: <http://zakon.rada.gov.ua/laws/show/963-15> (Last accessed: 05.11.2018).
5. About an exception, for permanent assignment and lease of lands for public and other necessities, agreeing about places of location of objects and refocusing of land: decision Cabinet of Ministers of Ukraine of 26.05.2007 no 681. URL: <https://www.kmu.gov.ua/ua/npas/77469881> (Last accessed: 05.11.2018).
6. Martyn, A. G. (2013) Nadання земельних ділянок при проведенні розвідки родовищ корисних копалин: удосконалення організації правового механізму. Землеустрій і кадастр, 21-28 [in Ukrainian].
7. Zolotarova, D. M. (2017) The legal basis of land use for exploration. PhD (Law) Kharkiv [in Ukrainian]. URL: http://nauka.nlu.edu.ua/download/diss/Zolotarova/d_Zolotarova.pdf (Last accessed: 05.11.2018).
8. Barabash, N. P. (2012) The legal regime of land given for the use by the bowels of land. PhD (Law) Lviv [in Ukrainian].

CONCEPT KHARKIV SMART CITY

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Анотація. Робота присвячена критичному аналізу різних підходів до визначення концепції «Розумного міста», формулюванню дефініції «Kharkiv Smart City» та пропозиції її використання при розробці стратегій Smart City та планів або дорожніх карт з реалізації стратегій Smart City.

Аннотация. Работа посвящена критическому анализу различных подходов к определению концепции «Умного города», формулировке дефиниции «Kharkiv Smart City» и предложения ее использования при разработке стратегий Smart City и планов или дорожных карт по реализации стратегий Smart City.

Key words: Smart City, concept of Smart City, Kharkiv Smart City, Kharkov Smart City.

Вступ. Smart City is an actual trend that covers a number of developed cities on all continents, like a tsunami. This idea of Smart City originated with the beginning of the digitalization era, when more and more information and communication technologies such as cloud computing, the Internet of Things, Big Data became available to the general public. Kharkiv is now striving to reformulate its own municipal government, provide administrative services, modernize various sectors of the economy to Smart City level, and lay the vector of Smart City’s development into the new Strategy of the City of Kharkiv 2020–2030. However, what is the Smart City, which is its nature and logical structure?

Target of research is definition of the concept of Smart City on the basis of a comparative analysis of its key features.

Основні теоретичні і практичні положення. Since the emergence of the Smart City idea, every researcher, municipal official or IT specialist is interpreting the definition of Smart City. We consider it necessary to generalize the experience of such theoreticians and practitioners, and to identify the key general features of Smart City and formulate its definition.

For example, PriceWaterhouseCoopers (PwC), a consultant in developing a research report (for reporting on the development of Moscow Smart City), focused on Smart City's concept of DDC (data driven city), for which the core of Smart City's idea is the technology of storage and processing of information. In order to develop the concept of Smart City in the Russian Federation, the Department of Construction and Housing and Communal Services of Ukraine approved the departmental project Smart City, for the development of which by 2024 it is planned to allocate 13 billion rubles and allocate them between cities that carry out modernization in the direction of Smart City for indicator of cities IQ. As "IQ cities" in the Ministry of Construction understand the degree of application of digital solutions in the field of housing and communal services and urban infrastructure. Administrations of municipal entities with a higher "IQ" planned to allocate more funds from the federal budget for the development of the urban environment [6].

The British Standards Institute (BSI) came to the conclusion of its research that the Smart City concept is an effective integration of physical, digital and human systems in an artificial environment for a stable, prosperous and comprehensive future for citizens. It is designed to increase the effectiveness of interaction between regions with central government authorities through IT projects. The concept of a smart city is aimed at integrating information and communication technologies to optimize the city's life. New technologies are designed to make people's lives better and more comfortable, increase the level of comfort, quality and service efficiency, reduce costs and consume resources. Such a process involves improving the living conditions of society through the introduction of information technology to stimulate the development of the city.

Smart Cities Council promote cities that embody their three core values: livability (cities that provide clean, healthy living conditions without pollution and congestion with a digital infrastructure), workability (cities that provide the enabling infrastructure — energy, connectivity, computing, essential services — to compete globally for high-quality jobs) and sustainability (cities that provide services without stealing from future generations) [5].

"Intelligent City" - the concept of integrating several information and communication technologies (ICTs) and the Internet for managing urban property; The city's assets include, but are not limited to, local information systems departments, schools, libraries, transport, hospitals, power stations, water supply and waste management systems, law enforcement agencies and other public services [2].

In the Strategy Smart City of Stockholm to achieve the city's environmental goals, effective cooperation between residents, the private industry, the public sector and society is important. Ecological and information technologies are the main priorities of the development of a sustainable society [1].

Concerning the concept of "Smart City," the UK Department of Business, Innovation and Skills argues that this concept is not static, it lacks the ultimate point, but there is a process or a sequence of steps by which cities become more fit for life and sustainable, and , therefore, are able to respond more quickly to new challenges [4].

The Economic and Social Council of the United Nations describes this concept as: "An innovative city that uses digital technologies to improve living standards, performance and services in the city, as well as to develop competitiveness in meeting the needs of this and future generations in economic, social, cultural and environmental aspects" [7].

Modern technologies change the urban environment, economic and social ties, create an opportunity to manage state farms on a qualitatively new level and create an active demand for innovative inputs in this area. Development requires the creation of an infrastructure based on intelligent networks. Technologies should become the basis for new cities and integrate organically into existing ones. It is possible to solve these problems with the help of the concept of a comprehensive approach "Intelligent City".

The benefits of a Smart City are to raise people's standard of living and reduce the cost of working processes by automating activities that do not require the use of analytical skills. Smart Cities are built in parallel with a smart economy: creating a supportive environment for innovation, including for the development of information and communication technologies.

Margarita Angelidou published 7 smart city strategies from cities across the world:

1. It starts with having a realistic plan.
2. Smart cities require extensive experimentation.
3. A smart city vision should energize the private sector.
4. Smart cities demand smart data.
5. Get creative when rethinking transportation.
6. Don't downplay digital security.
7. Smart city initiatives should complement low-tech initiatives [3].

After analyzing the experience of developed countries of the world, we believe that the main components of the intelligent city system are a combination of tools for information collection and analysis, while using it to improve the functioning of the transport system, medicine, industry and other areas that form the digital city model. An important element of the functioning of smart cities is the active introduction of information technologies, namely automated intelligent control systems (and control) of various aspects of the city's life, such as housing and communal services, urban automobile traffic, public transport, tourism, public safety, education, health, energy, water supply and ecological situation. The introduction and innovative use of information technologies (intelligent systems of the "smart city") contributes to improving the quality and efficiency of management, reducing administrative costs and improving the level and quality of life of the population.

We think that today the development, formation and further implementation of the Smart City concept is one of the most promising actions for introducing innovations and stimulating the development of the city. So, for an effective solution to future problems, society at an early stage should think about the introduction of an effective and intellectual concept Smart City. Having analyzed the key features of Smart City as

outlined above, the following definition can be formulated: Smart City is a comprehensive concept for city development, the directions of which are determined in accordance with the human, natural and economic potential of a particular city, in order to increase the level and quality life of the population.

Results of the study, their assessment. Thus, this research is one of the first economic-legal concepts of understanding Smart City as a comprehensive concept for city development, the directions of which are determined in accordance with the human, natural and economic potential of a particular city, in order to increase the level and quality life of the population.

Conclusions and prospects for the development. We offer our vision of Smart City concept to use (with the obligatory adaptation to our own conditions and opportunities) other scientists, practitioners, developers of strategies for building Smart City and plans for implementation, road maps for the implementation of Smart City strategies, in particular, Kharkiv Smart City.

СПИСОК ВИКОРИСТАНОЇ ЛІТЕРАТУРИ ТА ІНШИХ ДЖЕРЕЛ

1. City of Stockholm. The Smart City. URL: <https://international.stockholm.se/city-development/the-smart-city/>;
2. Dr. Sam Musa. Smart City Roadmap. URL: http://www.academia.edu/21181336/Smart_City_Roadmap;
3. IoT Institute: 7 smart city strategies from cities across the world. URL: <https://www.urenio.org/2017/10/09/iot-institute-7-smart-city-strategies-cities-across-world/>;
4. Smart cities: Background paper. URL: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/246019/bis-13-1209-smart-cities-background-paper-digital.pdf;
5. Smart Cities Council. About Us. URL: <https://smartcitiescouncil.com/article/about-us-global>;
6. Минстрой потратит 13 млрд руб. на развитие «Умных городов». URL: <http://dialog-e.ru/market-news/595/>;
7. Экономический и Социальный Совет ООН. Показатели «умных» устойчивых городов, разработанные ЕЭК ООН–МСЭ. URL: https://www.unece.org/fileadmin/DAM/hlm/documents/2015/ECE_HBP_2015_4.ru.pdf.