



3. Composition of Council

The Government's recommendation was to have 9 nominated members drawn from among owners or occupiers within the municipal boundaries, who are British or British-protected subjects.

We accept the principle of nomination - but we referred to Prof Simpson's Report (para 113, 114), which appears to have been overlooked.

The only point is that Prof Simpson's proposals were not made with the idea of a Municipal Council for members in the town has contemplated - & that they are inconsistent with the existing scheme. It goes on however to make recommendations -

1) for the composition of the Council (see para 26), the 9 govt. Europeans & majority are the Indians but at least the Indian + 2-3 Europeans members

2) for a nominated Council, we have an Prof Simpson's proposal which consisted of 10 M.C.H. and 5 Indian members with some other official or Ch. Executive Officer who would advise the Council.

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of 1908. It goes on however

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1) for the composition of the  
Council (see para 26), the  
fourth European & majority  
of the Indian - but not  
the Indian & also for the  
composition

2) for the composition of the  
Council as Prof Simpson's  
Council composed of the M.C. &  
Sanitary Engineer with some  
M.C. & the Sanitary Engineer  
also to work under the Council.

Copy below

I think that both these members  
might be accepted - with the sec  
of Mrs. Poffington's suggestion  
to a named committee to see  
that he could not but be  
all

ack. receipt - appear  
action in referring matter of  
copied - who in turn are  
as to composition of Council  
I say that I got all in  
further comm. as to progress  
& relations of various local  
to the Council & amendments  
the same Corp. Nov. 1909.

accd

12. 1. 10

I am glad that they have  
in the various districts  
of ability that have  
be studied through before  
all ready

could be prepared why the  
business of the city is

331

23104 -  
 GOVERNMENT HOUSE  
 NAIROBI  
 10 MAR 20  
 BRITISH EAST AFRICA

549

5/11 March, 1920.

My Lord,

119-20  
 96  
 5723  
 In continuation of my despatch No. 1161 of the 13rd December, I have the honour to transmit the following observations on the points raised in the second and third paragraphs of Your Lordship's despatch No. 1161 of the 5th November last on the subject of the establishment of a municipality for Mombasa Island.

2. COMPOSITION OF MUNICIPAL COUNCIL.

(a) I have to point out in this connexion that Professor Simpson in submitting his recommendations appears never to have contemplated the application of the Municipal Corporations Ordinance 1909, to Mombasa. Professor Simpson proposed to adopt the Indian principle of municipal administration, under which there is a local executive assisted by an advisory Committee. Mombasa is presently controlled municipally such on the lines recommended by Professor Simpson but will have to be so upon the application of the Municipal Corporations Ordinance, the terms of which are inconsistent with his proposals.

GEORGE MILNER, F.R.C.S., B.C.M.B., G.O.M.G., &c. &c.,  
 SECRETARY OF STATE FOR THE COLONIES,  
 DOWNING STREET,

(b) I may state that the terms of Your Lordship's inquiries were referred to a local Committee at Bombasa, who have suggested a Council of nine members, allocated as under:-

European Community	...	4	
Indian	...	3	
Arab & Swahili	...	2	9.

The proposal appears reasonable and I have, as an interim measure, instructed the Acting Provincial Commissioner to put forward names for appointment to the new body or alternatively to indicate persons of which the wishes of local residents as to their representatives could best be ascertained.

(c) The Committee was further of opinion that the trained Executive, composed of the Medical Officer of Health, Sanitary Engineer, and a suitable officer (not necessarily a District Commissioner) as Chief Executive Officer, should be appointed to work under the Municipality without seats on the Council. This approximates to the procedure laid down in the latter part of Section 32 of the Municipal Corporations Ordinance. The question of the Executive's responsibility and relations with Council is at the moment occupying attention in considering amendments to the Ordinance and I shall address Your Lordship further on this point shortly.

(d) The Committee endorsed Professor Simpson's advocacy of fixity of tenure for the Executive.

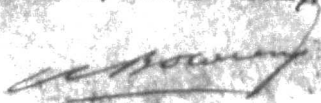
3. DATE FOR FORMATION OF MUNICIPAL COUNCIL.

I agree that it would be undesirable at this stage to fix a definite date for the formation of the Council and observe that Your Lordship has left the matter to my discretion. As I have stated, amendments to the Municipal Corporations Ordinance are now under consideration in accordance with your instructions and it would be, therefore, obviously premature to apply its provisions to Lombasa in their unrevised state. The medical authorities strongly deprecate the transference of municipal control until the Public Health Bill has been enacted and put into operation. I concur in these representations and have decided that the establishment of the Substantive Council must be deferred for the present. I trust that the action taken will meet with Your Lordship's approval.

I have the honour to be,

Your Lordship's

humble, obedient servant,



ACTING GOVERNOR.

For 23104/20  
Eggs

18

DRAFT.

MINUTE.

Mr. Bannister holding  
Mr. P. C. Curran  
Mr.  
Mr. Grindle  
Sir H. Lambton  
Sir H. Hood  
Sir G. Fiddler  
Col. Amery  
Lord Milner

18 Dec 1920  
I have the honour to acknowledge  
the receipt of your paper no. 331 of the  
31st Dec 1920, & to inform you  
that I approve your action in  
referring the whole business of  
a Substantive Municipal  
Council for Morotua Island

2 I note the indemnity  
arrangements which have  
been made as to the  
responsibility of the Council,  
& I shall advise the further



dispute which you propose to  
address to me with regard to  
the responsibility & relations  
of the trained members to the  
Council with regard to the  
amendments referred to the  
Municipal Corporation Order

1909.

3. I presume that you are  
satisfied that no inconvenience in  
working will arise from the fact  
that, as shown in para 2 (b) of  
your despatch, the <sup>representatives of the</sup> Indian & Arab &  
Swahili communities will have  
a majority over the European  
Communities representatives on  
the Council

(10) MILNER