

GBCDT Meeting 20 May 2026

PRESENT: Mark Bryant, Anna Macdonald, John Porteous, Helen Strong

APOLOGIES: Zoe Macinnes, Catherine Muir

1. MINUTES OF LAST MEETING

The April 2026 minutes were approved by John, seconded by Anna.

2. BOARD MEMBERS / AGM

There have been no new members coming forward to join the Board. A provisional date has been suggested for the AGM for some time in August, subject to the financial reports being completed by then. It is hoped that more members will step forward and join the Board at the AGM.

3. ACCOUNTS UPDATE

Balance on April 14th:	£15,909.33
Income to May 20th:	£ 8,006.16
Outgoings to May 20th:	£11,739.64
Balance on May 20th:	£12,174.85

Significant outgoings this month included:

- Harper Macleod legal fees to defend the writ £7,120.00
- NFU insurance premium £3,885.28
- Balance of the washing machines £561.55

a) Insurance for the ebikes

The BCA have confirmed that they are unable to add the ebikes to their existing insurance policy. The previous insurance policy taken out by the Trust (with Laka) was around £70 per month, which meant the ebike hire was financially unfeasible. The suggestion was made that the bikes be insured only for the summer season. Helen will ask Callum for a financial summary of revenues and expenses for the last two years before a decision is made on whether to continue offering this service.

4. COMMUNICATION

a) Admin / Google Drive / Email traffic

Helen has set up a new Google Drive to replace the previous (now defunct) Drive. She has also created a document giving an overview of how to access various Trust accounts (hotmail, Hostinger, Xero, MailChimp, DTAS, etc.). Helen confirmed she will be unable to continue to offer admin support for much longer. The Board members have agreed to check the hotmail account regularly.

b) Membership mailings

There have been three mailings sent to members – two on 30 March and one on 28 April. All three emails have only been opened by around 50% of recipients. A notice will go out in the Bulletin again asking members to check their spam folders and to contact the Trust if they didn't receive the emails. The next planned mailing to members will be to introduce the new Development Officer.

5. ESTATE BUYOUT

a) Mapping

John has heard back from the Estate's solicitors Murchison Law (ML) following his meeting with them in Inverness on 20 March. John had asked them to provide copy title deeds for land recently sold from the estate. ML has confirmed that Cyran is happy to provide this information on the basis that we provide them first with our draft mapping. We will do this – if they get our current mapping in good faith they can then update us on all land sales since the last mapping exercise. We will issue our mapping on the condition that if they find any errors, they flag these and explain what the current position is, so that the Trust and the Estate are working together on a mutually agreed mapping position. John will instruct Total Design to issue a new mapping plan. John will also contact the Crofting Commission and check online the Crofting Register and the Register of Crofts.

6. DUBH THOB

a) Business Plan

The Business plan for the Asset Transfer is now ready. CnES have advised a number of other steps that need to be followed, including contacting any owners of property at the pier who may be affected. John will start actioning these requests.

b) Rates and insurance

John will contact NFU to confirm that public liability is covered under the insurance, and also enquire about adding a Directors and Officers (D&O) clause to the policy.

c) Completion of facilities building

John will draw up a schedule of jobs that still need to be done and a list of items that still need to be bought in order to complete the work on the building.

7. AOB

a) Development Officer Post

The role has been advertised on welovestornoway.com, various Facebook groups and on the greatbernera.org website with a deadline of 29 May. There have been a few enquiries for more information and some CVs have been received. Face-to-face interviews will be scheduled for 8/9/10 June with John and Anna in the Facilities Building at the pier. A second interview will take place with Mark online in the week beginning 15 June.

b) Writ against the Trust

A mailing went out to members on 28 April (see below). A huge thank you to the members that have kindly supported the Trust with donations towards the legal costs of the writ. These donations to date have now totalled £5,657.50. The case was printed in the Stornoway Gazette on 14 May and appeared online the next day at

<https://www.stornowaygazette.co.uk/business/bernera-counts-cost-of-legal-aid-backed-dog-fight-8545848>

Next meeting: Wednesday 17 June 2026, 7.30pm in the Small Hall

Writ Update 28 April 2026

Dear Trust Member,

Further to our last communication regarding Claire Kellerman issuing a Writ against the Trust, claiming £10,000 in damages for incidents at the Bernera Café last July and August, along with additional claims against a number of named individuals in our community, we now have the following update.

On Thursday 23 April, in the Stornoway Sheriff's Court, the Trust was absolved in terms of the action raised by Ms Kellerman. The Trust has nothing to do with the community café and was involved in neither the July/August incidents, nor the personal actions of the named individuals.

The Court awarded expenses in favour of the Trust, however because Ms Kellerman had been granted legal aid to pursue this action, these expenses were modified to zero. This means the Trust is unable to recover its legal expenses from Claire Kellerman.

Defending this action has been a time-consuming, frustrating and costly activity for the Board members, who dedicate their time and energy voluntarily in service to the community. None of the Board are well-versed in matters of this nature; a Writ is a very complex legal procedure with short, strict timelines and the Trust would have been expected to appear in Court to defend itself. So, upon seeking independent legal counsel, we were strongly advised to appoint a solicitor. We chose the Scottish law firm Harper Macleod.

As a result, this whole exercise has cost around £6,500 (even after a discount given by Harper Macleod in recognition that the Trust is a not-for-profit organisation). Part of the reason the costs are so high is because Ms Kellerman's legal representatives did not absolve the Trust until late in the process, despite being repeatedly told they were pursuing the wrong defendant. Every letter, email, telephone call, and the need to issue a Notice of Intention to Defend, increased the cost considerably.

This has put significant financial hardship onto the Trust and we are therefore looking for ways of recuperating some of these costs. If anyone has any suggestions of how we can raise funds to help with this, please do get in touch by emailing trustbernera@hotmail.com. If any members are minded to make a contribution towards this cost, your support would be greatly appreciated. The Trust bank details are as follows:

Account name: Great Bernera Community Development Trust

Account number: 82460760

Sort code: 87-34-52

We would like to reiterate that this action has been unnecessary, expensive and extremely time-consuming. It has also served to highlight the injustice of a system that allows public money to be used to pursue a misdirected legal action (by a law centre and their Counsel who do not check their facts), in which innocent, uninvolved parties are left to pick up the costs.

Best regards,

GBCDT Board

Great Bernera Community Development Trust

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