

GBCDT Meeting 17 June 2026

PRESENT: Mark Bryant, Anna Macdonald, John Porteous, Brenda Jones, Calum Fraser, Zoe Paterson Macinnes

APOLOGIES: Catherine Muir

1. MINUTES OF LAST MEETING

The Board approved the May 2026 minute amendments.

2. BOARD MEMBERS / AGM

Brenda Jones has come forward to join the Board, Anna proposes Brendas' joining as a Director, John seconds this proposal. Mark is in Lewis between August 3rd – 18th and so we suggest the AGM takes place during this time. A preliminary date of August 13th has been suggested.

3. ACCOUNTS UPDATE

Balance on May 20th:	£12,174.85
Income:	£738.35
Outgoings:	£703.31
Balance on June 17th:	£12,209.89

No significant outgoings this month, usual DD (BT, Valda, DTAS, Xero, EE).

Recruitment costs incurred:

- Bright HR £254.56
- Job adverts £114.00

4. Insurance for the ebikes

a) Anna has contacted various insurance policies regarding the eBikes. One company could not fulfil an insurance policy for the Trust, due to no persons being present during the rental process of the ebikes. There has been no response from the other parties. Brenda will contact the Point and Sandwick Trust to enquire about their insurance policy as they also rent eBikes to their community.

5. 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.

6. 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 issue our mapping on the condition that if they find any errors, they flag these and explain what the current position is. 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.

b) John has been in contact with Murchison Law. The Board have discussed their request for sight of the draft mapping before ML send us the title plans; the Board are willing to agree to this arrangement on condition that if ML find errors in the draft mapping, these will be flagged to the Trust, with the result that the Trust and the Estate will have a mutually agreed mapping position. John to email ML to this effect.

7. 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. Most of the materials for the work have arrived, with a few items still to be delivered. There is hope that this work will be completed within the next few weeks.

d) John is to speak to Pete Fletcher to explain that the Trust have approached CnES Environmental Health with regards to the derelict vehicle outside the music studio at the pier. The Trust did not get a response from Environmental Health when the issue of the vehicles' removal was first raised, but will continue to push the matter.

8. AOB

a) Development Officer Post

Face-to-face interviews for the Development Officer have been completed. Anna has liaised with Bright HR and will forward the completed contract to Mark, who will offer the role to the successful candidate upon reference checks.

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 15 July 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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