

# Company fined after worker crushed to death

A recycling company has been fined £40,000 after its failure to maintain the lifting equipment on a refuse vehicle caused the death of an employee.

Henry Chambers had been working for Bin Busy Recycling Limited at an aggregates site run by another company in Charlton, London, when the incident occurred on 5 July 2019.

The 65-year-old, from Dartford, had been unloading glass bottles from the refuse vehicle at an unloading bay at the site before he became trapped between the vehicle's tailgate and hopper.



The bin lorry at HSE's laboratory in Buxton, Derbyshire

He sustained multiple crush injuries and died in hospital four days later.

Mr Chambers' wife, Gail, said: "The Christmas before Henry died, we had just celebrated our 40th wedding anniversary. It was a 40-year marriage which shouldn't have ended as abruptly as it did.

"Henry was 65 and he kept saying he wanted to retire but there was no set time. There were lots of things we wanted to do when he retired. His big dream was to hire a Winnebago and drive Route 66, but he would have been just as happy down in Cornwall. His big things were holidays and family."

A Health and Safety Executive (HSE) investigation into the incident identified multiple faults with the refuse vehicle's lifting equipment, with

some parts excessively worn and even missing. The equipment had not been thoroughly examined by a competent person after Bin Busy purchased the vehicle in April 2017.

A thorough examination is a systematic and detailed examination of the equipment and its safety-critical parts, carried out at specified intervals by a competent person. In the case of this vehicle's lifting equipment, a thorough examination should have been carried out every 12 months. Although Bin Busy had arrangements in place for the vehicle to be maintained, these were focused on its roadworthiness and did not include inspection and maintenance of its lifting equipment.

HSE guidance can be found at: [Thorough examinations and inspections of lifting equipment \(hse.gov.uk\)](https://www.hse.gov.uk/lifting-equipment/)

Bin Busy Recycling Limited, of Standard Wharf, Manor Road, Erith, Kent, pleaded guilty to breaches of Regulation 9(3) of the Lifting Operations and Lifting Equipment Regulations 1998 and Regulation 5(1) of the Provision and Use of Work Equipment Regulations 1998. The company was fined £40,000 and ordered to pay £22,338.24 in costs and the victim surcharge of £181 at Westminster Magistrates' Court on 9 October 2023.

HSE inspector Gordon Carson said: "Regular proactive maintenance and inspection of work equipment is vitally important to ensure equipment does not deteriorate to the extent that it puts people at risk or, as was tragically the case here, causes fatal injuries. Bin Busy failed to effectively maintain the lifting equipment on this refuse vehicle or arrange for it to be thoroughly examined in accordance with specified timescales."

#### **Notes to Editors:**

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. We prevent work-related death, injury and ill health through regulatory actions that range from influencing behaviours across whole industry sectors through to targeted interventions on individual businesses. These activities are supported by globally recognised scientific expertise. [gov.uk](https://www.hse.gov.uk/)
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](https://www.legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>
4. Attached picture of the bin lorry at HSE's laboratory in Buxton, Derbyshire.